

The Gazette of India

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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 10th March, 1961:—

Issue No.	No. and date	Issued by	Subject
39	S.O. 501, dated 6th March, 1961.	Ministry of Commerce and Industry.	Amendments in the Exports (Control) Order, 1958.
40	S.O. 502, dated 6th March, 1961.	Ministry of Labour and Employment.	Constitution of an Industrial Tribunal with Shri V. U. Joseph as Presiding Officer at Ernakulam.
41	S.O. 503, dated 6th March, 1961.	Ministry of Finance	Extending the period of Moratorium in respect of the Bank of Nagpur Ltd., Nagpur.
42	S.O. 536, dated 8th March, 1961.	Ministry of Information and Broadcasting.	Approval of film specified therein.
43	S.O. 537, dated 9th March, 1961.	Ministry of Law	Declaration containing the name of the candidate elected by the elected members of the Mysore Legislative Assembly.
44	S.O. 538, dated 10th March, 1961.	Ministry of Commerce and Industry.	The Jute (Licensing and Control) Order, 1961.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 14th March 1961

S.O. 541.—Whereas arrangements have been made with the Government of Pakistan for taking the evidence of witnesses residing in Pakistan in relation to matters before Courts-Martial held in India under the Army Act, 1950 or the Air Force Act, 1950, the Central Government in pursuance of sub-Section (3) of section 504 of the Code of Criminal Procedure, 1898 (5 of 1898) read with section 137 of the Army Act, 1950 (46 of 1950) and section 136 of the Air Force Act, 1950 (45 of 1950), hereby directs that commissions from the Judge Advocate General of the Army, or the Chief Legal Adviser of the Air Force, at the instance of Courts-Martial in India for the examination of witnesses in Pakistan shall be issued in the form annexed hereto to the court of the District Magistrate or magistrate of the first class within the local limits of whose jurisdiction in Pakistan the witness resides and that such commission shall be sent to the Ministry of External Affairs, Government of India, New Delhi for transmission to the Court concerned.

DEPARTMENT OF THE JUDGE ADVOCATE GENERAL (ARMY)/CHIEF LEGAL ADVISER, AIR FORCE.

Commission to examine witness residing outside India

'[Section 504(3) of the Code of Criminal Procedure, 1898 read with section 137 of the Army Act, 1950 and section 136 of the Air Force Act, 1950]

To

Through the Ministry of External Affairs, Government of India, New Delhi.

Whereas it appears to me that the evidence of..... is necessary for the ends of justice in the trial of..... before a..... Court-Martial under the Army Act, 1950/Air Force Act, 1950 and that such witness is residing within the local limits of your jurisdiction and his attendance cannot be procured without an amount of unreasonable delay, expense or inconvenience, I..... have the honour to request and do hereby request that for the reasons aforesaid and for the assistance of the..... Court Martial you will be pleased to summon the said witness to attend at such time and place as you shall appoint and that you will cause such witness to be examined upon the interrogatories which accompany this commission (or *viva voce*).

The Prosecutor..... and the accused person may appear before you by counsel or except in the case of an accused person in custody, in person, and may examine, cross-examine, and re-examine as the case may be, the said witness.

And I further have the honour to request that you will be pleased to cause the answers of the said witness to be reduced into writing and all books, letters, papers and documents produced upon such examination to be duly marked for identification and that you will be further pleased to authenticate such examination by your official seal (if any) and by your signature and to return the same together with this commission to the undersigned through the Ministry of External Affairs, Government of India, New Delhi

Given under my hand and the seal this day of 196 ..

..... Judge Advocate General, Army Headquarters
Chief Legal Adviser, Air Force.

[No. F. 11/1/61-Judl. II.]
K. THYAGARAJAN, Under Secy.

MINISTRY OF FINANCE (DEFENCE)*New Delhi, the 3rd March 1961*

S.O. 542.—In exercise of the powers conferred by the proviso to Article 409 of the Constitution, the President hereby makes the following further amendment to the Defence Accounts (Class III and IV Services) Recruitment Rules, published as S.O. 1185, dated the 20th May, 1959, in the Gazette of India, Part II—Section 3—Sub-Section (ii), dated the 30th May, 1959:—

Delete Note 2 below Schedules I and II and insert as under:—

- (2) (a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and
- (b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

[No. 0698/Accts/AN.]

G. C. KATOCH,

Joint Financial Adviser.

MINISTRY OF FINANCE**(Department of Expenditure)***New Delhi, the 1st March 1961*

S.O. 543.—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to make the following amendment in the Delegation of Financial Powers Rules, 1958 (Published as S.O. 2614 in the Gazette of India, dated the 20th December, 1958), namely:

Amendment No. 87

In the said rules, the following new rule may be inserted after the existing rule 11:—

- "11-A. Subject to existence of specific budget provision for the purpose, Departments of the Central Government have full power to release funds for investment as equity capital of statutory corporations/companies, wholly owned by the Central Government."

[No. F. 12(69)-EII(A)/60.]

S.O. 544.—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to make the following amendment in the Delegation of Financial Powers Rules, 1958 (Published as S.O. 2614 in the Gazette of India, dated the 20th December, 1958), namely:

Amendment No. 88

In Schedule I to the Rules, under "E-Ministry of Finance (Revenue Department)" insert the following:—

- "12-Appellate Controller of Estate Duty, Calcutta."

(This amendment takes effect from the 1st July 1960).

[No. 19(2)-EII(A)/61.]

C. R. KRISHNAMURTHI, Dy. Secy.

(Department of Expenditure)*New Delhi, the 6th March 1961*

S.O. 545.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following regulations to amend the Civil Service Regulations, namely:—

1. These Regulations may be called the Civil Service (Sixth Amendment) Regulations, 1961.

2. In the Civil Service Regulations, in the list of services and appointments below clause (1) of Article 349-A, after the entry "Controller of Patents and Designs", the following entries shall be inserted, namely:—

"Chief Controller of Imports and Exports.

Joint Chief Controller of Imports and Exports."

2. The amendments shall be deemed to have taken effect on the 1st December, 1959.

[No. F. 4(14)-EV(C)/61.]

New Delhi, the 8th March 1961

S.O. 546.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following further amendments in the Civil Service Regulations, namely:—

1. These regulations may be called the Civil Service (Ninth Amendment) Regulations, 1961.

2. In the Civil Service Regulations, below Article 368, the following Note shall be inserted, namely:—

"**NOTE.**—In the case of a State Government servant who is permanently transferred to the Central Government and becomes subject to these rules under Article 4-A, the term "temporary or officiating service" used in the proviso, shall include such service rendered under the State Government."

[No. F. 3(4)-EVA/61.]

RABI RAY, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 8th March 1961

S.O. 547.—Statement of the Affairs of the Reserve Bank of India, as on the 3rd March, 1961

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	11,34,43,000
Reserve Fund	80,00,00,000	Rupee Coin	1,68,000
National Agricultural Credit (Long-term Operations) Fund	40,00,00,000	Subsidiary Coin	6,82,000
National Agricultural Credit (Stabilisation) Fund	5,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal
(a) Government		(b) External
(1) Central Government	51,43,63,000	(c) Government Treasury Bills	23,35,01,000
(2) Other Governments	14,70,31,000	Balances held abroad*	29,28,96,000
(b) Banks	71,86,28,000	Loans and Advances to Governments**	41,62,32,000
(c) Others	90,74,71,000	Other Loans and Advances†	155,53,27,000
Bills Payable	29,33,49,000	Investments	154,11,54,000
Other Liabilities	46,34,64,000	Other Assets	19,09,03,000
RUPES	434,43,06,000	RUPES	434,43,06,000

*Includes Cash and Short-term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 27,55,00,000/- advanced to scheduled banks against usance bills under Section 17 (4)(c) of the Reserve Bank of India Act.

Dated the 8th day of March, 1961.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 3rd day of March, 1961

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	11,34,43,000		A. Gold Coin and Bullion:—		
Notes in circulation	1947,15,56,000		(a) Held in India	117,76,03,000	
Total Notes issued		1958,49,99,000	(b) Held outside India		
			Foreign Securities	128,00,89,000	
			TOTAL OF A		245,76,92,000
			B. Rupee Coin		120,45,81,000
			Government of India Rupee Securities		1592,27,26,000
			Internal Bills of Exchange and other commercial papers		
TOTAL LIABILITIES		1958,49,99,000	TOTAL ASSETS		1958,49,99,000

Dated the 8th day of March, 1961.

H. V. R. IENGAR,
Governor.

[No. F 3(2)-BC/61.]
A.BAKSI, Jt. Secy.

(Department of Economic Affairs)

New Delhi, the 13th March 1961

S.O. 548.—In exercise of the powers conferred by rules 1 and 2 of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908) the Central Government hereby appoints the Administrator, Rehabilitation Finance Administration Unit of the Ministry of Finance—

- (I) as the person by whom plaints and written statements in suits in any court of civil jurisdiction by or against the Central Government relating to the former "Rehabilitation Finance Administration" shall be signed;
 - (II) as the person who, being acquainted with the said Rehabilitation Finance Administration, shall verify such plaints and written statements; and
- authorises the said Administrator to act for the Central Government in respect of any judicial proceeding.

[No. 7(87)-Corp/60.]

M. K. VENKATACHALAM, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 14th March 1961

S.O. 549.—In pursuance of sub-section (7) of section 45 of the Banking Companies Act, 1949 (10 of 1949), the Central Government hereby specifies the 25th March, 1961 as the prescribed date in relation to the scheme for the amalgamation of the Indo-Commercial Bank Ltd., with the Punjab National Bank Ltd., which has been sanctioned by the Central Government and published as S.O. 408 in Part II section 3 sub-section (ii) of the Gazette of India Extraordinary dated the 20th February, 1961.

[No. F. 4(21)-BC/60.]

S.O. 550.—In pursuance of sub-section (7) of section 45 of the Banking Companies Act, 1949 (10 of 1949), the Central Government hereby specifies the 27th March, 1961 as the prescribed date in relation to the scheme for the amalgamation of the Bank of Nagpur Ltd., with the Bank of Maharashtra Ltd., which has been sanctioned by the Central Government and published as S.O. 407 in Part II section 3 sub-section (ii) of the Gazette of India Extraordinary dated the 20th February, 1961.

[No. F. 4(97)-BC/60(I).]

D. N. GHOSH, Under Secy.

(Department of Revenue)

ESTATE DUTY

New Delhi, the 10th March 1961

S.O. 551.—In exercise of the powers conferred by sub-section (2A) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), and in partial modification of the Notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 38/F. No. 1/22/60-ED, dated the 30th December, 1960, published as S.O. No. 13, dated the 30th December, 1960 in Part II, Section 3(ii) of the Gazette of India, dated the 7th January, 1961, the Central Government hereby appoints Shri P. C. Goyal, a Commissioner of Income-tax (Grade I) as Appellate Controller of Estate Duty with headquarters at Calcutta.

2. This notification shall be deemed to have effect from the 21st February, 1961 (forenoon).

Explanatory Note

(This note does not form part of the notification but is intended to be merely clarificatory.)

This notification has become necessary due to a change in the incumbent of the post of Appellate Controller of Estate Duty.

[No. 46/F. No. 1/11/61-ED.]

M. B. PALEKAR, Dy. Secy.

(Department of Revenue)**CUSTOMS***New Delhi, the 18th March 1961*

S.O. 552.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (8 of 1878), the Central Government hereby appoints the following officers of Kandla Custom House to be officers of Customs and to exercise the powers conferred and perform the duties imposed by the said Act on such officers, namely:—

1. Chief Inspector
2. Deputy Superintendant (Ministerial)
3. Head Clerk in charge of Import and Export Section
4. Women Searchers
5. Sepoys.

[No. 25/F. No. 22/6/59-Cus.IV.]

S. VENKATESAN, Dy. Secy.

CENTRAL BOARD OF REVENUE**ESTATE DUTY***New Delhi, the 10th March 1961*

S.O. 553.—In exercise of the powers conferred by sub-section (2A) of section 4 of the Estate Duty Act, 1953 (34 of 1953), and in partial modification of its Notification No. 45/F. No. 1/11/61-ED, dated the 27th February, 1961, published as S.O. 479, dated the 27th February, 1961 in Part II, Section 3(ii) of the Gazette of India, dated the 4th March, 1961, the Central Board of Revenue hereby directs that with effect from the 21st February, 1961 (forenoon), Shri P. C. Goyal, a Commissioner of Income-tax, shall perform the functions of the Appellate Controller of Estate Duty throughout India in respect of—

- (a) the estates of deceased persons assessed to estate duty on or after the 1st July, 1960;
- (b) the estates of deceased persons in relation to which an appeal lies under section 62 of the said Act.

2. This notification shall be deemed to have effect from the 21st February, 1961 (forenoon).

Explanatory Note

(This note does not form part of the notification but is intended to be merely clarificatory.)

This notification has become necessary due to a change in the incumbent of the post of Appellate Controller of Estate Duty.

[No. 47/F. No. 1/11/61-ED.]

P. K. GHOSH, Under Secy.

INCOME-TAX*New Delhi, the 13th March 1961*

S.O. 554.—In exercise of the powers conferred by sub-section (4) of Section 5 of the Indian Income-tax, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments to its notification S.O. 660 (No. 35-Income-tax), dated the 22nd April, 1958, namely:—

In the Schedule annexed to the said notification under the sub-head "III—Bihar & Orissa" against:—

(a) Ranchi Range, after the existing entries, the following entry shall be added, namely:—

"8. Hazaribagh Circle, Hazaribagh".

(b) Bhagalpur Range, the existing entry, namely, "5. Hazaribagh Circle, Hazaribagh" shall be deleted.

The above amendments shall come into force from the 20th March, 1961.

Explanatory Note

NOTE.—The amendments have become necessary on account of the reorganisation of the appellate ranges in the charge of the Commissioner of Income-tax, Bihar and Orissa, Patna.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 17 (F. No. 50/3/61-IT).]

D. V. JUNNARKAR, Under Secy.

CUSTOMS

New Delhi, the 18th March 1961

S.O. 555.—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (8 of 1878), the Central Board Revenue hereby makes the following rules, prescribing and limiting the powers and duties of the officers of Customs at Kandla, namely:—

1. These rules may be called the Kandla (Limitation of Powers and Duties) Rules, 1961.
2. In these rules the 'Act' means the Sea Customs Act, 1878.
3. The Collector of Customs at the port of Kandla shall for the port of Kandla, exercise, concurrently with and subject to the orders of Collector of Customs, Bombay, all or any or the powers of a Customs Collector.
4. The Deputy Superintendent or the Head Clerk in charge of the Import and Export Section of the Custom House, Kandla shall exercise the powers conferred and perform the duties imposed on them by sections 158, 159, 160 and 201 of the Act.
5. All Preventive Officers in the port of Kandla shall have powers to grant written permission under section 72 of the Act for the landing fresh fruits, vegetables and live stock (a) on any Sunday or Holiday, (b) on any day beyond the hour from time to time appointed by the Chief Customs Authority by notification in the Official Gazette, at any wharf which is appointed for the landing of such goods.

[No. 26/F. No. 22/6/59-Cus.IV.]

S. VENKATESAN, Secy.

OFFICE OF THE COLLECTOR OF CUSTOMS AND CENTRAL EXCISE, PONDICHERRY

PUBLIC NOTICE CENTRAL EXCISE

Pondicherry, the 1st March 1961

S.O. 556.—It is notified for the information of the Trade that Central Excise duty has been imposed on the undermentioned articles for the first time with

effect from the 1st March 1961 by the Finance Bill, 1961 at the rates noted below against each:—

(NEW ITEMS)

Sl. No.	Commodity	Tariff item No.	Rate of duty.	Duty exemptions if any
1	Soda Ash	14A	Rs. 2.00 per quintal.	
2	Caustic Soda (i) if in a solid form (ii) if in lye	14B	Rs. 4.00 per quintal. Rs. 4.00 per quintal on the basis of 100% strength.	
3	Glycerine	14C	Rs. 17.00 per quintal.	
4	Dyes derived from coal tar and any dyeing process, all sorts.	14D1		
5	Patent or proprietary medicines as defined in clause (d) of section 3 of the Drugs Act, 1940 (23 of 1940), not containing alcohol.	14E	10% <i>ad valorem</i> .	
6	Cosmetics & toilet preparations, 14F namely : (i) Face Cream and Snow . (ii) Face Powder (iii) Talcum Powder (iv) Hair lotions, creams & pomades.		20% <i>ad valorem</i> . Units producing not more than 150 Kgs. per month get certain exemptions— <i>vide</i> Notification No. 47 61.	
7	Plastics all sorts	15A	20% <i>ad valorem</i> .	
8	Cellophane	15B	20% <i>ad valorem</i> .	
9	Cotton twist, yarn and thread all sorts (produced with the aid of power). (i) of 35 or more counts . . (ii) of less than 35 counts . .	18A	75 nP. per Kg. 10 nP. per Kg.	cotton yarn of counts 11 to 40. if cleared in hanks, wholly exempted.
10	Woollen yarn all sorts including knitting wool (produced with the aid of power). (i) worsted yarn (2) Others	18B	10% <i>ad valorem</i> . 5% <i>ad valorem</i> .	Woollen yarn spun from shoddy wool is wholly exempted.
11	Glass & Glassware (a) Sheet Glass & Plate Glass (b) Laboratory Glassware . (c) Glass Shells, glass Globes & Chimneys for lamps and lanterns. (d) Other Glassware including tableware.	23A	10% <i>ad valorem</i> . 5% <i>ad Valorem</i> 10% <i>ad valorem</i> . 15% <i>ad valorem</i> .	(i) Bangles Glass and Glass beads wholly exempted. (ii) Units employing not more than 5 workers exempted.

1	2	3	4
12	China & Porcelainware . . . 23B		
	(1) Tableware	15% <i>ad valorem</i> .	Units employing not more than 5 workers are exempted <i>vide</i> Notification 52/61.
	(2) Sanitary ware	15% <i>ad valorem</i> .	
	(3) Glazed tiles	10% <i>ad valorem</i> .	
	(4) Not otherwise specified	10% <i>ad valorem</i> .	
13	Copper and Copper alloys containing not less than 50 % by weight of copper. 26A		
	(1) Manufactures, the following, namely, plates, sheets, circles etc.	Rs. 300.00 per metric tonne.	
	(2) Pipes and tubes	10% <i>ad valorem</i> .	
14	Zinc 26B		
	(1) Manufactures, the following, namely plates, sheets, circles etc.	Rs. 300.00 per metric tonne.	
	(2) Pipes and tubes	10% <i>ad valorem</i> .	
15	Air conditioning machinery, all sorts. 29A	20% <i>ad valorem</i> .	If duty-paid electric motor is fitted, duty paid thereon to be adjusted.
16	Wireless receiving sets all sorts including transistor sets and radiograms, with or without loudspeaker. 33A	20% <i>ad valorem</i> .	(i) Value not exceeding Rs. 150 wholly exempted. (ii) Value exceeding Rs. 150.00 but not exceeding Rs. 300.00 exempted from half the duty.
17	Refrigerators & parts thereof, such as are specially designed for use with refrigerators 40	20% <i>ad valorem</i> .	If duty-paid electric motor is fitted, duty paid thereon, to be adjusted.

2. (i) The manufacturers of the above articles within the state of Pondicherry* should apply to the Collector of Customs and Central Excise, Pondicherry* in form A.L. 4 furnishing the details required therein, for the manufacture, storage and disposal of such excisable commodities.

(ii) Obtain the licence in form L.4 granted by the competent authority under the jurisdiction of the Collector of Customs and Central Excise, Pondicherry.

(iii) Clear such excisable commodities from the factory on payment of the Central Excise duty at the appropriate rates by presenting the application or clearances in the proper form and duly permitted by the proper Central Excise Officers,

(iv) maintain accounts of the production, storage, and clearances of such excisable commodities in the proper form and submit returns in forms R.T. 3, R.T. 4 and R.T. 5 and

(v) observe all the Central Excise formalities as required under the Central Excise and Salt Act, 1944, and the rules made thereunder.

3. The following changes in the First Schedule to the Central Excise and Salt Act, 1944, have been introduced by the Finance Bill, 1961 and they are published below for the information of the trade.

* For a Central Excise licence.

ANNEXURE 1(A)

1961 Budget Proposals at a Glance

(EXISTING ITEMS)

Sl. No.	Tariff item	Commodity	Unit	Existing rate of duty	Proposed rate of duty	Remarks
1	2	3	4	5	6	7

Basic Duty

1	2	Coffee . . .	Quintal	Rs. 41.35	Rs. 55.0	
2	3	Tea				
		(i) Other than pack- age tea. . . . Kg.				
		ZONE I . . .		4.5 nP	10 nP	Changes by Notifica- tion.
		ZONE II . . .		9 nP	15 nP	
		ZONE IIIA. . .		18 nP	25 nP	
		ZONE IIIB. . .		27 nP	35 nP	
		(ii) Package tea . . Kg.		46 nP	40 nP	
3	4	Tobacco				
		I Unmanufactured tobacco				
		(1) Flue cured used in the manu- facture of cigare- ttes. . . . Kg.		Varying from Rs. 2.20 to 16.50	Rs. 2.50	A single rate of duty been substituted the existing five ra
		(4) Other than flue cured used in the manufacture of cigarettes. . . Kg.		Rs. 1.65	Rs. 2.00	
		(5) Other than flue cured in whole leaf form stems and rawa. . . . Kg.		Rs. 1.04 [effective rate by notifica- tion]	Rs. 1.14	
		(7) Stalk . . . Kg.		15 nP	21 nP	
		Fluke cured & not otherwise speci- fied—granule and rawa Conces- sional rate. . Kg.		Rs. 1.04	Rs. 1.14	
		II Manufactured to- bacco				
		(i) Cigars & cheroots				

Existing tariff to be replaced as below.

Cigars & cheroots of which the value per per 100		Rate of duty
exceeds	does not exceed	
(i) Rs. 25	..	Rs. 15.0
(ii) Rs. 15	Rs. 25	Rs. 9.0
(iii) Rs. 5	Rs. 15	Rs. 3.0
(iv) Rs. 1.25	Rs. 5	75 nP

I	2	3	4	5	6	7
			Cigarettes of which the value per 1000	Per 1000 cigarettes	Existing rate of duty	Proposed rate of duty
			exceed	does not exceed		
			Rs.	Rs.		
			(i) 50	..	21.50	} 23.75
			(ii) 35	50	19.00	
			(iii) 30	35	10.50	
			(iv) 25	30	9.50	
No change in the rates for other categories.						
4	7	Kerosene	Kilo litre at 15°C	Basic duty Rs. 64.20	Rs. 95.55 Rs. 64.20 for inferior kerosene (by noti- fication)	
Addl. duty no change.						
5	9	Diesel oil N.O.S.	Metric tonne	Basic duty	16% <i>ad valorem</i> +Rs. 63.95	16% <i>ad valorem</i> * +Rs. 92.10
Additional duty no change.						
6	13	Vegetable product	Quintal	Rs. 17.20	Rs. 20.00	With effect from 1961-62 quantity under each slab changed from 10160 quintals to 10,000 quintals.
Concessional Rates						
				(i) Rs. 13.30	Rs. 15.45	
				(ii) Rs. 15.30	Rs. 17.75	
				(iii) Rs. 16.25	Rs. 18.85	
7	14	Paints & Varnishes	Different units	Different rate	Different rate	
8	17	Paper & paperboard.	Kg.			
		(1) Blotting, toilet, target etc.		33 nP	50 nP	
		(2) Cigarette tissue		66 nP	Rs. 1.00	
		(3) Printing & writing paper		22 nP	22 nP	No change in this item.
		(4) Packing & wrap- ping paper		22 nP	35 nP	
		(5) Strawboard other than corru- gated board		11 nP	15 nP	Concessional*
*rates for strawboard and mill board have also been revised (Notification No. 17/61)						
		(6) Duplex & trip- lex board		22 nP	35 nP	
		(7) Pulp board		22 nP	35 nP	
		(8) Corrugated board		22 nP	35 nP	
		(9) Coated board		33 nP	50 nP	
		(10) Paper & paper- board not other- wise specified		33 nP	50 nP	

1	2	3	4	5	6	7
9	18	Rayon & Synthetic fibre and yarn . Kg. Rayon yarn				
			Effective rates			
		(i) below 75 deniers	Rs. 1.80	Rs. 3.00	Effective rates of duty	
		(ii) 75 to 100 deniers	Rs. 1.35	Rs. 2.25	on Godet waste etc.	
		(iii) above 100 deniers	90 nP	Rs. 1.50	has been increas-	
		(iv) Staple fibre .	45 nP	75 nP	ed from 45 to 75 nP	
					per Kg. (Notification	
					No. 20/61).	
10	19	Cotton fabrics				
		(i) Medium A, counts 26 to 34 .	Effective rates		Basic rates for grey***	
			7.2 nP per		9.0 per Sq.	
			Sq. metre		metre	
		(Basic rate for grey fabrics)	***fabrics will be 25 % more fabrics			
			produced for on automatic looms			
		(ii) Excise levy on processing (under each of the 5 main varieties).	(b) 0.6nP/ Sq. metre	1.0nP/ Sq. metre	For detailed effective rates@@.	
			(c) 3.6 nP/Sq. metre	6.0 nP/Sq. metre		
			(d) 1.8 nP/Sq. metre	3.0 nP/Sq. metre		
			(@@) for different varieties of cotton fabrics please see Notification No. 21/61.			
11	19 & 20	Cotton silk and art- silk fabrics.				
						(i) Total exemption re- duced from 4 to 2 looms.
						(ii) Any manufacturer having more than 2 looms will pay duty on all looms without any exemption.
						(iii) Slabs and rates re- vised both in respect of basic duty & addl. duty (vide Notifica- tions Nos. 22/61 to 24/61 & 28/61 to 40/61).
12	21	Woollen fabrics .				(i) exemption reduced from 4 to 1 loom.
						(ii) Any manufacturer having more than 1 loom will pay duty on all looms without any exemption (vide No- tification Nos. 25/61 to 27/61).
13	27	Aluminium Pipes & tubes.		10 % ad valorem.	New sub. item introdu- ced.	
14	35	Cycle parts rims. . Per rim	Rs. 4.00	Rs. 4.00		
			Concessional rates introduced for manufacturers manufacturing upto 10 lakhs rims per year			
		(i) On the first	25,000	Rs. 2.00	"Special slabs" fixed for	
		(ii) On the next	1,75,000	Rs. 3.00	March, 1961 (Noti- fication No. 41/61).	
		(iii) On the next	3,00,000	Rs. 3.50		
		(iv) On the balance.		Rs. 4.00		

1	2	3	4	5	6	7
15	38	Matches	.	Per 1000 matches or fraction thereof.	57 nP.	65 nP.
						(i) Concessional **
						**rates for matches packed in boxes of 50 and 'Bengal Lights' packed in boxes of 10 introduced.
						(ii) Existing@
						@ concessional rates for boxes of 60 & 40 and 'Bengal Lights' packed in boxes of 12 will continue for 3 months.

4. The above introduction of Excise Duties on new articles and changes in the rates of Central Excise duty come into force from the midnight of 28th February, 1961/1-3-1961.

[No. 5/61.]

A. J. B. LOBO, Collector.

CENTRAL EXCISE COLLECTORATE, DELHI

CENTRAL EXCISES

Delhi, the 6th March 1961

S.O. 557.—In exercise of the powers conferred on me by Rule 50 of the Central Excise Rules, 1944, I hereby direct that no manufacturer of excisable goods shall remove from his licensed premises any non-excisable goods produced in such premises or any intermediate or residual products in the factories as shown against each commodity in the list enclosed, except waste matters without the permission of the Central Excise Officer Incharge of the factory.

2. To obtain the required permission the manufacturer or his authorised Agent shall present an application in duplicate form not less than two hours before the intended removal of the products from the factory to the Inspector of Central Excise.

FORM OF APPLICATION

No.

Date.....

To

The Inspector of Central Excise,
.....factory,

Please permit removal of the following:—

- (i) Quantity and description of the goods.
- (ii) Mode of packing.
- (iii) Marks and Nos. of package(s).
- (iv) Purpose for which used.
- (v) Name and address of the consignee and L-4 No. if any.
- (vi) Date and time of removal.

Signature of the Manufacturer
or Agent.

3. The Inspector of Central Excise shall, after satisfying himself of the correctness of the goods, accord permission by endorsing one copy of the application as follows:—

“Permitted”

Inspector of Central Excise,
.....factory.

and return it to the manufacturer who may thereafter remove the goods out of the factory. The original copy of the application will remain on the Inspector's record.

4. All previous notifications issued on the subject are hereby cancelled.

Woollen Fabrics	Complete beams, loom products of woollen fabrics woollen yarn packed in cases.
Electric Fans	Blades, unwounded Motors, Bodies, chaff Cutter (if cleared packed).
Electric Batteries	Cast lead jalli.
Electric Motors	Body, Unwounded Motors.
Silk Fabrics	Pieces of waste silk and silk fabrics.
Paints and Varnishes	Phenyle, wood preservative, linseed oil, Turpentin Oil, Carbon black, red, oxide, denatured spirit, red Ochre.
Aluminium	“Scrap & Cuttings”.
Internal Combustion Engines	Body, Wheels, & Crank-shafts.
Cycle Parts	Outer rings, Side plates and inner rings of the free- wheels.
Freewheels	Bhoora or Booranda of black Steel.

(NOTE.—If there are any other intermediate or residual products except those mentioned in the list which are also required to be cleared from the factory under Rule 50 of Central Excise Rules, 1944 in the interest of Government Revenue those should also not be cleared without the permission of the factory Officer.)

List of non-excisable goods, intermediate and residual products of excisable commodities which should not be removed from the approved premises of a manufacturer without the permission of the proper officer under Rule 50 of the Central Excise Rules, 1944.

Name of commodity I	Name of Non-excisable goods, Intermediate & Residual Products produced in the factory 2
Cotton Fabrics	Wrap beams products of handlooms, if any within or adjoining the premises of manufacture of excisable fabrics.
Cement	Assistant Collector may allow clearance of Clinker free of Excise duty for experimental purposes subject to the observance of the following conditions :— (i) The factory undertakes to pay the duty in case it is found subsequently that the quantity so cleared had been converted into and was consumed as Cement. (ii) The Institute at the destination maintains accounts of receipts and final disposal of the quantities supplied to them. (iii) The Central Excise Officer having jurisdiction over the place of destination should be informed to ascertain and intimate the disposal of the clinker to the last stage.

I	2
Rayon or Artificial Silk fabrics	Pieces of waste fabrics.
Footwear	Chrome, rubber soles & leather cutting, Rubber shoe (for soles).
Soap	Oils of different kinds, glycerine.
Vegetable Products	Acid oil, Trap Oil & Soap stock.
V.N.E. Oils	Sediments (oilgud) Pressmud (if cleared packed in tins). Semi crushed oilseeds for preparing cattle feed.
Matches	Damaged splints and Vencers.
Sugar other than Khandsari and Palmyra	Molasses (other than final molasses) and brown sugar
Khandsari Sugar	Molasses other than final molasses, juice extracted on the premises, if any.

[No. C. IV(16)36/60.]

K. NARASIMHAN, Collector.

OFFICE OF THE ASSTT. COLLECTOR OF CENTRAL EXCISE AND LAND CUSTOMS: GOA FRONTIER DIVISION: BELGAUM

Belgaum, the 9th March 1961

S.O. 558.—Whereas a notice to show cause issued to you under the Land Customs Act, 1924, Imports and Exports Control Act, 1947 and Foreign Exchange Regulation Act, 1947 is pending in the office of the undersigned, you are requested to take delivery of the said notice on any working day within ten days from the date of publication of this intimation failing which the case will be decided *ex-parte*.

To

- (1) Shri Prabhakar Rama Desai of Madgaon, Goa.
- (2) Shri Mohan Sheru Sawant of Phonda, Goa.
- (3) Shri Mohan Keshav Prabhu of Phonda, Goa.
- (4) Shri Ramohandra Naik of Phonda, Goa.
- (5) Shri Narayan Mhadeo Naik of Phonda, Goa.

[No. VIII(b)10-39/61.]

E. R. SRIKANTIA, Asstt. Collector.

COLLECTOR OF CENTRAL EXCISE, POONA

ERRATUM

In the notification No. CER 1/61, dated the 10th January 1961, of the Central Excise Collectorate, Poona, published in the Gazette of India, Part II—Sec. 3(ii), dated 4th February 1961, at page 340, as S.O. 274, the following correction is to be made:—

In line 7 of the notification for the word "Acres" read "Ares".

MINISTRY OF FOOD AND AGRICULTURE**(Department of Agriculture)****(Indian Council of Agricultural Research)***New Delhi, the 9th March 1961*

S.O. 559.—In pursuance of section 4(2) of the Indian Lac Cess Act, 1930 (No. 24 of 1930), the Central Government have nominated Dr. S. M. Sikka, Additional Agricultural Commissioner with the Government of India, Ministry of Food and Agriculture (Department of Agriculture), as the Chairman of the Governing Body of the Indian Lac Cess Committee with immediate effect *vice* Dr. J. S. Patel granted leave.

[No. 3-33/61-Com.III.]

A. S. BHATNAGAR, Dy. Secy.

(Department of Agriculture)**(Indian Council of Agricultural Research)***New Delhi, the 10th March 1961*

S.O. 560.—In partial modification of this Ministry notification of even number dated the 7th October, 1958, the following may be substituted in place of existing Rule 6 of the Executive Sub-Committee:—

Rule 6.—Three members of the Executive Sub-Committee, including the chairman, present in person shall constitute a quorum at any meeting of the Executive Sub-Committee.

[No. 3-41/58-Com.III.]

J. VEERA RAGHAVAN, Under Secy.

MINISTRY OF COMMERCE AND INDUSTRY*New Delhi, the 6th March 1961*

S.O. 561.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment of persons to Class III (Non-ministerial) posts in the Small Scale Industries Organisation under the Ministry of Commerce and Industry, namely:—

1. **Short title.**—These rules may be called the Small Scale Industries Organisation (Class III Non-ministerial posts) Recruitment Rules, 1961.

2. **Application.**—These rules shall apply for recruitment to the post at the Headquarters Office of the Development Commissioner, Small Scale Industries specified in column 1 of the Schedule annexed hereto.

3. **Number, classification and scale of pay.**—The number of post, its classification and the scale of pay attached to it shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 12 of the Schedule aforesaid:

Provided that the maximum age limit prescribed for direct recruitment may be relaxed in the case of persons, belonging to Scheduled Castes/Tribes, and other special categories in accordance with the orders issued by the Central Government from time to time.

5. **Disqualification.**—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service; and

(b) No woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage, or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHB

Recruitment rules for the post of Librarian in the office of the Development Commissioner Small

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
Librarian	One	Class III Non-Ministerial.	Rs. 100—8—140 —10—250.	Not applicable	Between 22 to 30 years.

DULE

Scale Industries, New Delhi.

Educational and other qualifications required	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion transfer, grades from which promotion to be made	If a DPC exists what is its composition
7	8	9	10	11	12
<p><i>essential:</i></p> <p>(i) Matriculation certificate from a recognised University/Board. (Preference to Intermediate or Graduates).</p> <p>(ii) Certificate in library Science from a recognised University/Institution.</p>	<p>No age limit for persons appointed on transfer</p>	<p>Two years</p>	<p>Normally by direct recruitment through Employment Exchange failing which by transfer.</p>	<p>Transfer of similar employees from other Government Offices</p>	
<p><i>Desirable :</i></p>					
<p>(i) At least two years experience as a Librarian in a Standard library of repute.</p>					
<p>Educational qualification may be relaxed by the Ministry of Commerce and Industry in deserving cases.</p>					

[No. F. 3-SSI(C)(19)/60.]

N. S. VAIDYANATHAN, Under Secy.

New Delhi, the 10th March 1961

S.O. 562.—The following draft of an amendment to the Central Advisory Council (Procedural) Rules, 1952 which the Central Government proposes to make in exercise of the powers conferred by section 30 read with section 5 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), is hereby published as required by sub-section (i) of the said section 30 for the information of persons likely to be affected thereby.

Notice is hereby given that the draft will be taken into consideration on or after the 30th March, 1961.

Any objection or suggestion which may be received from any person with respect to the draft before the date so specified will be considered by the Central Government.

Draft Amendment

1. These rules may be called the Central Advisory (Procedural) Rules, 1961.

2. For the existing rule 4 of the Central Advisory Council (Procedural) Rules, 1952, the following rule shall be substituted, namely:—

“A member of the Council other than the Chairman shall hold office for such period not exceeding two years from the date of his appointment as may be specified in the order of appointment, and shall be eligible for re-appointment.”

[No. 1(4)IA(II)(G)/61.]

D. HEJMADI, Dy. Secy.

New Delhi, the 13th March 1961

S.O. 563.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1961 (65 of 1961), the Central Government hereby appoints the Director of Industries & Commerce, Government of Mysore, Bangalore and Shri V. M. Ramaswamy to be the members of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 2603 dated the 17th October, 1960 for the scheduled industries engaged in the manufacture and production of sugar till the 16th October, 1962 and directs that the following amendments shall be made in the said Order, namely:—

In paragraph 1 of the said Order after entry No. 19 relating to Shri Ganga Shankar Panday, the following entries shall be inserted, namely:—

“19A. The Director of Industries & Commerce, Government of Mysore, Bangalore.	“Technical Knowledge”	Member.
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“19B. Shri V. M. Ramaswamy, Director, National Federation of Co-operative Sugar Factories Ltd., C/O The North Arcot District Co-operative Sugar Mills Ltd., Vadapudupet, Ambur P.O. (Madras State).	“Technical Knowledge”	Member.
	do	Member.

[No. 1(4)IA(IV)/60.]

ORDER

New Delhi, the 13th March 1961

S.O. 564.—IDRA/6/15.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1961 (65 of 1961), the Central Government hereby appoints Shri George Chadayammuri as a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce & Industry No. S.O. 2877 dated the 28th November, 1960, for the scheduled industries engaged in the manufacture or production of Organic Chemicals till the 27th November, 1962 and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order after entry No. 19, relating to Shri Ram Singhbhai Verma, the following entry shall be inserted, namely:—

“19A. Shri George Chadayammuri, Secretary, Kerala State Trade Union Council, Plantain Grove, Trivandrum.	“Persons employed in Industrial Undertakings”
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[No. 1(3)IA(IV)/60.]

J. S. BAKHSHI, Under Secy.

CORRIGENDUM

(RUBBER CONTROL)

New Delhi, the 13th March 1961

S.O. 565.—In exercise of the powers conferred by clause (a) of sub-section (4) of section 12 of the Rubber Act, 1947 (24 of 1947), the Rubber Board hereby directs that in their notification S.O. 277, dated the 27th January, 1961 published in Part II, Section 3 (ii), of the Gazette of India dated the 4th February, 1961. for the date "17th January, 1961", the following shall be substituted, namely:—

"13th January, 1961".

Kottayam
8th March, 1961

Sd/- K. B. WARRIER,
Chairman, Rubber Board.

[No. 15(7)Plant(B)/60.]

B. KRISHNAMURTHY, Under Secy.

(Office of the Textile Commissioner)

Bombay, the 21st February 1961

S.O. 566.—In pursuance of sub-clause (d) of Clause 2 of the Cotton Textiles (Production by Handloom) Control Order, 1956, I hereby direct that the following further amendment shall be made in the Textile Commissioner's Notification No. S.R.O. 1589, dated the 23rd June, 1956, namely:—

In the table appended to the said Notification, in Serial No. 5(ii):—

1. the following entries in columns (1) and (2) shall be deleted, namely:—

"23. Mangalore"; and

2. entry No: 24 shall be renumbered as entry No: 23.

W. R. NATU,
Textile Commissioner.

INDIAN STANDARDS INSTITUTION

New Delhi, the 6th March 1961

S.O. 567.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations 1955, the Indian Standards Institution hereby notifies that nine licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licencees to use the Standard Mark.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licencee	Article/Process covered by the licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	
1	CM/L-271 10-2-1961	15-2-61	14-2-62	The Indian Tube Company (1953) Limited, 41, Chowringhee Road, Calcutta.	Steel Tubes for Bicycle Frames	IS: 623/1955 Specification for Bicycle Frames (<i>Tentative</i>).
2	CM/L-272 10-2-1961	20-2-61	19-2-62	M/s. Sahebgunge Electric Supply Co. Ltd., 49, Palace Court, 1 Kyde St., Calcutta-16.	Aluminium Conductor Steel Reinforced and All Aluminium Conductors.	IS: 398-1953 Specification for Hard-Drawn Stranded Aluminium and Steel-Cored Aluminium Conductors for overhead Power Transmission Purposes (<i>Tentative</i>).
3	CM/L-273 10-2-1961	15-2-61	14-2-62	M/s. India Tar And Bitumen Products Pvt. Ltd., 3D-Garstin Place, Calcutta-1.	Bitumen Felts for Water proofing and Damp-Proofing, Type-3, Grade-I.	IS: 1322-1959 Specification for Bitumen Felts for Water-proofing and Damp-Proofing.
4	CM/L-274 15-2-1961	1-3-61	28-2-62	M/s. Sudhir Chemical Co., 248-Samuel Street, Badgadi, Bombay-3.	Copper Oxychloride Dusting Powders.	IS: 1506-1959 Specification for Copper Oxychloride Dusting Powders.
5	CM/L-275 15-2-61	1-3-61	28-2-62	M/s. Sudhir Chemical Co., 248, Samuel Street, Vadgadi, Bombay-3.	Copper Oxychloride Water Dispersible Powder Concentrates.	IS: 1507-1959 Specification for Copper Oxychloride Water Dispersible Powder Concentrates.

6	CM/L-276 27-2-1961	1-3-61	28-2-62	M/s. Devidayal (Sales) Private Ltd., Gupta Mills Estate, Reay Rd., Darukhana, Bombay.	DDT Dusting Powders . . .	IS:564-1955 Specification for DDT Dusting Powders.
7	CM/L-277 27-2-1961	1-3-61	28-2-62	M/s. Standard Lamination, 20, Harish Neogi Road, Calcutta.	Tea-Chest Plywood Panels . . .	IS: 10-1953 Specification for Plywood Tea-Chests (<i>Revised</i>).
8	CM/L-278 27-2-1961	1-3-61	28-2-62	M/s. Aluminium Cables & Conductors (U.P.) Pvt. Ltd., 47, Hide Road Extension, Calcutta.	All Aluminium Conductors . . .	IS: 398-1953 Specification for Hard-Drawn Standard Aluminium and Steel-Cored Aluminium Conductors for overhead Power Transmission Purposes (<i>Tentative</i>).
9	CM/L-279 27-2-1961	1-3-61	28-2-62	M/s. Jawala Flour Mills, 33, Najafgarh Industrial Area, New Delhi-15.	Maida, Grade I . . .	IS:1009-1957 Specification for Maida.

[No. MD-12-322]

S.O. 568.—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations 1955, the Indian Standards Institution hereby notifies the issue of errata slip particulars of which are given in column (4) of the Schedule here to annexed, in respect of the Indian Standard specified in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	No. and Title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified.	Particulars of Errata Issued.	Slip
(1)	(2)	(3)	(4)	
1	IS:883-1957 Code of Practice for Use of Structural Timber in Building (Material, Grading & Design).	S.R.O. 2823 dated 7th September, 1957	At page 10, clause 6.4. 2(b), line 4, please read the existing formula as follows: (b) Intermediate columns $-\frac{P}{A} = C \left\{ 1 - \frac{1}{4} \left(\frac{l}{Kd} \right)^4 \right\}$	

Copies of this errata slip are available free of cost, with the Indian Standards Institution "Manak Bhavan", 9 Mathura Road, New Delhi-1 and also at its Branch Offices at (i) General Assurance Building, 232 Dr. Dadabhoy Naoroji Road, Fort, Bombay-1, (ii) Third Floor, Sooterkin Street, Calcutta-13, and (iii) 2/21 First Line Beach, Madras-1.

[No.MD 13-6]

S.O. 569.—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies the issue of corrigenda slip, particulars of which are given in column (5) of the Schedule hereto annexed, in respect of the Indian Standard specified in column (2) of the said Schedule.

THE SCHEDULE

SL No.	No. and title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified	No. & date of the Corrigenda	Particulars of Corrigenda Slip Issued				
(1)	(2)	(3)	(4)	(5)				
1	IS: 786-1956 Conversion Factors and Conversion Tables (First and Second Impressions Printed in MARCH and OCTOBER 1957).	S.R.O. 1796 dated 1st June 1957.	No. 2 January 1961	Page (Index)	Column	Entry	Please read	For
				87	1	6	Ares	Acres
				87	1	7	Ares	"
				87	3	24	0.426 935	426.935
				87	3	45	0.035 195 1	0.035 194 9
				87	3	64	0.003 527 40	0.352 740
				88	3	22	28.413 0	28.413 2
				88	3	50	1.425 42	1.425 38
				89	3	1	21.997 6	21.997 5
				89	2	18	Tonnes (Metric)	Tons (Metric)
				89	4	44	92, 99	89, 99
				90	3	2	0.984 21	0.984 20
				90	2	53	Grams per Millilitre	Grams per Millilitre
				91	3	12	0.219 976	0.219 975
				91	3	48	0.984 976	0.219 975
				91	3	48	0.984 21	0.984 20

Copies of this corrigenda slip are available, free of cost, with the Indian Standards Institution, "Manak Bhavan", 9 Mathura Road, New Delhi-1, and also at its Branch Offices, at (i) 232 Dr. Dadabhai Naoroji Road, Fort, Bombay, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, and (iii) 2/21 First Line Beach, Madras.

[No.MD-13-6A]

S.O. 570.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established during the period 16th February to 28th February 1961.

THE SCHEDULE

Sl. No.	No. and title of the Indian Standard established	No. and title of the Indian Standard or Standards, if any, superseded by the new Indian Standard.	Brief Particulars
1	2	3	4
1	IS:303-1960 Specification for Plywood for General Purposes (<i>Revised</i>).	IS:303-1951 Specification for Commercial (Common) and Moisture-Proof Plywood (<i>Tentative</i>)	This standard covers the requirements of plywood used for general purposes (Price Rs. 4.50).
2	IS:605-1960 Code of Practice for Construction of Food Grain Storage Structures Suitable for Trade and Government Purposes for the <i>Central</i> Region.	..	This standard covers the method of construction of food grain bag storage structures suitable for areas having such geographical and soil conditions as in the <i>Central</i> Region and chiefly intended for trade and Government purposes (Price Rs. 3.00).
3	IS:1060 (Part II)-1960 Methods for Sampling and Test for Paper and Allied Products, Part II.	..	This standard prescribes methods of tests for paper for special purposes not covered in IS:1060 (Part I)-1956. The tests prescribed are: (a) Bursting strength, wet; (b) Tensile strength, wet; (c) Bending test; (d) Cupping test; (e) Exudation test; (f) Bleeding resistance; (g) Fastness to light; (h) Brightness; (i) Water vapour permeability; (k) Estimation of alpha cellulose content; (m) Estimation of lead and lead compounds; (n) Estimation of chlorides (water soluble); (p) Estimation of sulphates (water soluble); (q) Estimation of fatty and/or rosin acid-extractable by ether; (r) Estimation of matter soluble in ether; and (s) Estimation of benzene soluble matter. (Price Rs. 5.50).
3A	IS:1482-1960 Specification for Metric Scales for Use with Drafting Machines.	..	This standard covers the requirements for metric Scales of 50 cm and 30 cm lengths with four ratios, namely 1:1, 1:2.5, 1:5 and 1:20, for use with drafting machines. A 50 cm Scale and a 30 cm. Scale constitute a set. (Price Rs. 2.00)

1	2	3	4
4	IS:1599-1960 Method for Bend Test for Steel Products Other Than Sheet, Strip, Wire and Tube.	..	This standard prescribes the method of conducting bend test on steel products other than sheet, strip, wire and tube. Methods of bend test for sheet strip, wire and tube are under preparation (Price Rs. 2.00)
5	IS:1601-1960 Specification for Performance of Constant Speed Internal Combustion Engines for General Purposes.	..	This standard specifies the performance requirement and tests for constant speed reciprocating internal combustion engines of the following types used for general purposes: (a) Compression ignition engines; (b) Carburettor type engines, and (c) Gas engines. (Price Rs. 4.00)
6	IS:1610-1960 General Requirements for Sewing Machines (Household Model).	..	This specification covers the general requirements for two types of household model sewing machines of cam-take-up and link take-up classes, with round bobbin oscillating sewing mechanism, and designed for operation by hand, foot or motor. (Price Rs. 2.00).
7	IS:1638-1960 Specification for Sizes and Fittings of Footwear.	..	This standard prescribes the sizes and fittings of footwear, which are manufactured on lasts. (Price Rs. 1.00).
8	IS:1661-1960 Code of Practice for Cement and Cement-Lime Plaster Finishes on Walls and Ceilings.	..	This standard covers cement and cement-lime plaster finishes to walls, columns, ceilings and similar surfaces on backgrounds normally met with, such as brick, stone or concrete (plain or reinforced). Lime plasters and mud plasters are not covered by this code. Also special plasters, such as hydraulic or acoustic plasters are outside the scope of this code. (Price: Rs.5.50).
9	IS:1682-1960 Specification for Cuprous Oxide, Technical (Fungicidal Grade).	..	This standard prescribes the requirements and the methods of test for cuprous oxide: technical, used in the formulation of fungicides for agricultural and horticultural purposes (Price Rs. 2.50).
10	IS:1683-1960 Specification for Barytes for Rubber Industry.	..	This standard prescribes the requirements and methods of sampling and test for barytes intended for use in the rubber industry. (Price Rs. 4.00)

1	2	3	4
11	IS:1684-1960 Specification for Natural Red Oxides of Iron for Rubber Industry.	..	This standard prescribes the requirements and the methods of sampling and test for natural red oxides of iron intended for use in the rubber industry. (Price Rs. 2.50).
12	IS:1685-1960 Specification for Whiting for Rubber Industry.	..	This standard prescribes the requirements and the methods of sampling and test for whiting intended for use in the rubber industry. (Price Rs. 2.00).
13	IS:1691-1960 Specification for Cast Iron and Mild Steel Flat Pulleys.	..	<p>This standard covers the requirements for the following types of pulleys;</p> <p style="text-align: right;">Type of Pulley : Maximum Rim speed m/min</p> <p>(a) Cast iron Pulleys :</p> <p style="padding-left: 20px;">Solid, with flat or crown face 1500</p> <p style="padding-left: 20px;">Split, with flat or crown face 1000</p> <p>(b) Mild Steel Pulleys, solid or split, with flat or crown face and mild steel spokes 1500</p> <p style="padding-left: 20px;">(Price Rs. 2.50).</p>
14	IS:1692-1960 Method for Simple Bend Testing of Steel Sheet and Strip Less Than 3 mm Thick.	..	This standard prescribes the method of conducting simple bend test on steel sheet and strip less than 3 mm thick. (Price Rs. 1.50).
15	IS:1694-1960 Specification for Tartrazine.	..	This standard prescribes the requirements and the methods of test for tartra zinc. (Price Rs. 2.50).
16	IS:1696-1960 Specification for Amaranth	..	This standard prescribes the requirements and methods of test for amaranth. (Price Rs. 1.50).
17	IS:1697-1960 Specification for Erythrosine	..	This standard prescribes the requirements and the methods of test for erythrosine. (Price Rs. 2.00).
18	IS:1698-1960 Specification for Indigo Carmine.	..	This standard prescribes the requirements and the methods of test for indigo carmine. (Price Rs. 1.50).
19	IS:1701-1960 Specification for Mixing Valves for Ablutionary and Domestic Purposes.	..	This standard lays down the requirements regarding sizes material manufacture, workmanship and testing of mixing valves for ablutionary and domestic purposes. (Price Rs. 2.00).

1	2	3	4
20	IS:1702-1960 Specification for Spring Balances.	..	This standard covers the requirements for spring balances. (Price Rs. 1.50).
21	IS:1712-1960 Specification for Cottonseed Oilcake as Livestock Feed.	..	This standard prescribes the requirements for cottonseed oilcake used in livestock feeding (Price Re. 1.00).
22	IS:1713-1960 Specification for Decorticated Groundnut Oilcake As Livestock Feed.	..	This standard prescribes the requirements for decorticated groundnut oilcake used for livestock feeding (Price Re. 1.00).
23	IS:1714-1960 Methods of Sampling and Test for Oilcakes as Livestock Feed.	..	This standard prescribes the methods of sampling and determination of moisture, crude protein, crude fat or ether extract, crude fibre, total ash, acid insoluble ash and castor husk in oilcakes used as livestock feed. (Price Rs. 2.50).
24	IS:1716:1960 Method for Reverse Bend Testing of Steel Wire.	..	This standard prescribes the method of conducting reverse bend testing of steel wire, bare or coated, having a diameter equal to or greater than 0.5 mm. (Price Rs. 1.50).
25	IS:1717-1960 Method for Simple Torsion Testing of Steel Wire.	..	This standard prescribes the simple torsion testing of steel wire of nominal sizes of 0.5 mm (Price Rs. 1.50).

Copies of these Indian Standards are available, for sale with the Indian Standards Institution, "Manak Bhavan", 9 Mathura Road, New Delhi-1 and also at its branch offices at (i) 232 Dr. Dadabhai Naoroji Road, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, and (iii) 2/21 First Line Beach, Madras-1.

[No. MD-13-2]

S.O. 571—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendments to the Indian Standards given in the Schedule hereto annexed have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Sl. No.	No and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of the Amendment	Brief particulars of the Amendment	Date of effect of the amendment
(1)	(2)	(3)	(4)	(5)	(6)
1	IS:533-1954 Specification for Gum Spirit of Turpentine (Oil of Turpentine).	S.R.O. 682 dated 2nd April, 1955.	No. 1 dated February 1961.	(i) In title please delete the word '(Tentative)'. (ii) In clause 0.5, line 11 to 16 please delete the last sentence. (iii) Please delete the existing sub-clause 5.4.1 and substitute the following : '5.4.1 <i>Solubility in Alcohol</i> —Gum spirit of turpentine of Grade 1 shall be soluble in 7 volumes of ethyl alcohol (conforming to IS:321-1952) 90 per cent by volume, and in 1.5 volumes of ethyl alcohol 95 percent by volume, when tested as prescribed under 8 of IS: 326-1952.'	1st March 1961.

Copies of this amendment slip are available, free of cost, with the Indian Standards Institution, 'Marak Bhavan', 9 Mathura Road, New Delhi-1, and also at its branch offices at (i) 232, Dr. Dadabhoy Naroji Road, Fort, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13 and (iii) 2/21 First Line Beach, Madras-1.

[No. MD/13-5]

S.O. 572.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that ten licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name & Address of the Licensee	Article covered by the licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-167 22-2-1960	1-3-61	28-2-62	M/s. Shalimar Biscuits Private Ltd., Sun Mill Estate, Sun Mill Rd., Lower Parel, Bombay-13.	Biscuits (excluding Wafer Biscuits).	IS:1011-1957 Specification for Biscuits (excluding Wafer Biscuits).
2	CM/L-168 22-2-1960	1-3-61	28-2-62	M/s. Tata-Fison Private Ltd., 20, Howrah Road, Salkia, Calcutta.	BHC Water Dispersible Powder Concentrates.	IS:562-1958 Specification for BHC Water Dispersible Powder Concentrates (Revised).
3	CM/L-64 7-2-1958	1-3-61	28-2-62	Sarvashri Assam Forest Products, Pvt. Ltd., Dibrugarh, Distt. Lakhimpur (Upper Assam).	Tea-Chest Plywood Panels	IS:10-1953 Specification for Plywood Tea Chests (Revised).
4	M/L-66 7-2-1958	1-3-61	28-2-62	Sarvashri Woodcrafts (Assam) Proprietors Jayshree Tea and Industries Ltd., Post Office Mariani, Distt. Sibsagar.	Do.	Do.
5	CM/L-67 7-2-1958	1-3-61	28-2-62	Sarvashri Woodcraft Products Limited, 8, India Exchange Place, Calcutta.	Tea-Chest Plywood Panels	IS:10-1953 Specification for Plywood Tea Chests (Revised).
6	CM/L-68 7-2-1958	1-3-61	28-2-62	Sarvashri Varat Plywood, 67-B, Netaji Subhas Road, Calcutta-1.	Do.	Do.
7	CM/L-70 7-2-1958	1-3-61	28-2-62	The Standard Furniture Co. Ltd., Chalamili (Kerala State).	Do.	Do.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
8	CM/L-1116 3-2-1959	16-2-61	15-2-62	M/s. Minerva Plywood Industries, 43/H/1, Chaulpatty Road, Calcutta-10.	Tea-Chest Plywood Panels	IS:10-1953 Specification for Plywood Tea-Chests (Revised).
9	CM/L-1118 19-2-1959	2-3-61	1-3-62	M/s. Bengal Plywood Mfrg. Co., 23/24 Radha Bazar Street, Calcutta.	Do. . .	Do.
10	CM/L-166 8-2-1960	1-3-61	28-2-62	M/s. Andamans Timber Industries Limited, 2, Dalhousie Square East, Calcutta-1.	Do. . . .	Do.

[No. MD-12:371]

C.N. MODAWAL, Deputy Director (Marks)

MINISTRY OF STEEL, MINES & FUEL**(Department of Mines & Fuel)***New Delhi, the 14th March 1961*

S.O. 573.—Whereas by the notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) S.O. 348 dated the 19th March, 1958, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government gave notice of its intention to prospect for coal in the lands in the locality specified in the Schedule appended to that notification;

And whereas by the notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) S.O. 675 dated the 11th March, 1960, under sub-section (1) of section 7 of the said Act, notice was issued specifying further period of one year commencing from the 19th March, 1960, as the period within which the Central Government may give notice of its intention to acquire the lands specified therein or any rights in or over such lands;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in a part of the said lands measuring 830.47 acres described in the Schedule appended hereto.

The plan of the areas covered by this notification may be inspected in the office of the Deputy Commissioner, Hazaribagh, or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the National Coal Corporation limited (Revenue Section) Darbhanga House, Ranchi.

Any person interested in the aforesaid land may, within 30 days of the issue of this notification, file objection to the acquisition of the whole or any part of the land or of any rights in or over such lands to the Coal Controller, 1, Council House Street, Calcutta.

SCHEDULE*Drawing No. Rev/115/61*

(Showing lands where rights to mine quarry, bore, dig and search for win, work & carry away minerals are to be acquired).

*Mining rights**South Bhurkunda Block*

Sl. No.	Village	Thana	Thana No.	District	Area in acres	Remarks
1.	Balkudra . . .	Ramgarh	26	Hazaribagh . . .	3.50	Part
2.	Kurse . . .	Ramgarh	47	Hazaribagh . . .	394.25	Part
3.	Deoria Barganwa . . .	Ramgarh	48	Hazaribagh . . .	287.27	Part
4.	Matkuma . . .	Ramgarh	49	Hazaribagh . . .	79.25	Part
5.	Ladi . . .	Ramgarh	53	Hazaribagh . . .	66.20	Part
TOTAL . . .					830.47 acres (Approximately)	

lots to be acquired in village Ladi :—

1(P), 3(P), 4 to 14, 15(P).

Plots to be acquired in village Matkuma :—

1(P), 2 to 29, 30, 31, 32(P), 33(P), 38(P), 39(P), 40(P), 41 to 55, 56, 57(P), 73(P).

Plots to be acquired in village Deoria Barganwa :—

669(P), 709(P), 710(P), 711(P), 712(P), 713(P), 714(P), 715, 716, 717, 718, 719(P), 720 to 726, 727(P), 728(P), 732(P), 734(P), 735 to 765, 766(P), 767(P), 769(P), 770(P), 771 to 843, 844(P), 845, 846(P), 847 to 864, 865 (P), 866(P), 869(P), 877(P), 878(P), 879(P), 880(P), 881 to 911 912(P), 913 to 923 924 (P), 925(P), 926 to 936, 937(P), 1084(P), 1087(P), 1836(P), 1837 to 1841, 1842(P).

Plots to be acquired in village Kurse :—

4(P), 5(P), 6 to 52, 53(P), 54 to 85, 86(P), 87(P), 88, 89(P), 90, 91, 92, 93(P), 94(P), 95, 96(P), 98, 99, 100, 101, 102(P), 103(P), 104(P), 105(P), 106 to 130, 131(P), 138(P), 139(P), 140 to 146, 147(P), 150(P), 151, 152, 153(P), 156(P), 157(P), 158 to 165, 166(P), 170 (P), 171(P), 173(P), 174 to 186, 187(P), 188(P), 192(P), 193(P), 194 to 206, 207(P), 210(P), 211 to 245, 246(P), 247(P), 248(P), 264(P), 321(P), 322(P), 323(P), 324(P), 325(P), 326, 327, 328(P), 330(P), 945(P).

Plots to be acquired in village Balkudra :—

1287(P), 1318(P).

BOUNDARY DESCRIPTION

AB line passes through Plot No. 1287 in village Balkudra through Plot Nos. 4, 5, 207 and 210 in village Kurse, through Plot Nos. 1836, 770, 769, 766, 767, 713, 714, 712, 719, 711, 710, 709, 727, 728, 734, 732, 669 in village Deoria Barganwa, through Plot No. 1 in village Matkuma and through Plot Nos. 1 and 3 in village Ladi.

BC line passes along the Central line of Karimati Nadi which is the common boundary of villages Ladi and Lapanga.

CD line passes along the Southern side of Plot No. 15 and through Plot No. 15 in vill ag Ladi.

DE line passes through Plot Nos. 32, 33, 38, 39, 73, 40, 57, in village Matkuma, through Plot Nos. 924, 925, 937, 912, 877, 878, 879, 880, 869, 865, 866, 846, 1084, 844, 1087, 1842 in village Deoria Barganwa, through Plot Nos. 945, 248, 247, 246, 193, 192, 188, 187, 173, 171, 170, 166 264, 156, 157, 153, 150, 147, 139, 138, 131, 105, 103, 104, 102, 96, 94, 93, 89, 53, 87, 86, 321, 322, 323, 324, 325, 328, common boundary of Plot Nos. 75 and 329, through Plot No. 330 in village, Kurse and through Plot No. 1318 in village Balkudra.

EA line passes along the Western side of Kurse Nala.

[No. C2-20(4)/61.]

B. ROY, Under Secy.

(Department of Mines and Fuel)

ERRATA

New Delhi, the 8th March 1961

S.O. 574.—In the Notification S.O. 375 dated 9th February, 1961, published in Part II Section 3 Sub-Section (ii) of the Gazette of India of the 18th February, 1961, for the following printing errors as shown in Column 2 of the Schedule appended below, corrections may be made as shown in Column 3 of the said Schedule:

SCHEDULE

	1	2	3
In Schedule I under the Column approximate area and against :—			
6. Mahendrapur		173·16	173·96
7. Baulapur		381·13	381·73
8. Natedi		512·14	512·74
14. Ramchandrapur		187·61	187·71
TOTAL		8715·18	8715·48

[No. C. 2-21(2)/59.]

S.O. 575.—In the Schedule to Notification No. S.O. 315 dated 4th February, 1961, published in Part II Section 3 Sub-Section (ii) of the Gazette of India Extraordinary dated 6th February, 1961, after Plot No. 518 and before Plot No. 513 in BCDEF line of Boundary Description of Sub-Block I, for "Plot No. 537" read "Plot No. 437".

[No. F. C.2-20(13)/58.]

S.O. 576.—In the Schedule 'B' to Notification S.O. 195 dated 18th January, 1961, published in Part II Section 3 Sub-Section (ii) of the Gazette of India Extraordinary dated 18th January, 1961, for the following printing errors noted in column 2 of the Schedule appended hereto, corrections may be made as noted against each in the Column 3 of the said Schedule.

SCHEDULE

	1	2	3
Page 46. Area against village Palani		414'36	414'35
Page 48. In line 26-27 after the figure and words '776 in village' . . .		Banth	Banth

[No. F. C2-20(2)/61.]
M. BUTT, Dy. Secy.

(Department of Iron and Steel)

New Delhi, the 18th March 1961

S.O. 577/ESS. COMM/Iron & Steel-27(1)/AM(40).—The following Notification issued by the Iron & Steel Controller under Sub-clause 1 of Clause 27 of the Iron & Steel (Control) Order 1956, is published for general information:—

"NOTIFICATION"

In exercise of the powers conferred by sub-clause (1) of Clause 27 of the Iron & Steel (Control) Order 1956, and with the approval of the Central Government, the Iron & Steel Controller hereby notifies the following revised maximum prices of Defectives and Scrap Black Sheets and Galvanised Corrugated Sheets in amendment of those contained in Part I-A, Part I-B and Part I-C of Schedule V of Iron & Steel Controller Calcutta's Notification No. ISC/AP/62/60 dated the 11th November, 1960 published in Part III, Section I of the Gazette of India dated the 24th December, 1960:—

SCHEDULE V

Item No.	Description or Classification of materials	Maximum basic prices at all rail-head Stations in India in Rupees per M Ton.		
		COL. I	COL. II	COL. III
		For sales by controlled sources other than those mentioned on Col. II	For sales by Scrap Merchants who have been declared Controlled Sources	For sales by all persons other than those mentioned in Cols. I & II
1	2	3	4	5
<i>Part I-A (Fresh Unused Defectives & Cuttings).</i>				
7.	Sheets—			
	(a) Black—Defective or Rejected and cut down over 610 mm width and not below 1.22 M in length, 3.15 to 2.0 mm—			
	Base	670	695	715

1	2	3	4	5
<hr/>				
(b) Black—Cuttings over 610 mm in width and between 0.61 M to 1.22 M in length—3.15—2.0 mm with Stickers—Base	600		625	645
8. Sheets—Galvanised Corrugated Defective or Rejected and Spotted—Full size 0.63 mm—Base	785		810	830
<i>Part I-B (Fresh Unused Industrial Scrap).</i>				
16. Sheets, Black Cuttings, Fish-tails and cleancut mixed 150/610 mm wide—				
(i) 2.25/1.25 mm thickness	445		470	490
(ii) 1.1/0.80 mm thickness	460		485	505
(iii) 0.63 mm thickness	525		550	570
(iv) 0.50 mm thickness	530		555	575
(v) 0.40 mm thickness	535		560	580
(vi) 0.31 mm thickness	540		565	585
17. Sheets—Black, Cuttings Unannealed cleancut pieces 150 mm to under 610 mm wide—Base	480		505	525
18. Sheets—Black, Cuttings 150 mm. and up wide all fish-tails 3.15 to 2.50 mm. thickness or mixed thickness	405		430	450
19. Sheets—Black, cuttings 50 mm. to under 150 mm wide—base.	335		360	380
20. Sheets—				
(a) Galvd. Plain cuttings of any or mixed thicknesses.	600		625	645
(b) Galvd. Corrugated cuttings of any or mixed thickness	550		575	595
<i>Part I-C (Used Industrial Scrap)</i>				
13. (A) Sheets—Galvd. Corrugated or plain—mixed or unmixed thicknesses.				
(a) Used but in very good condition, as good as new with only nail holes	765		790	810
(b) Used—damaged but utilisable	420		445	465
(c) Used—damaged of unutilisable	295		320	340
(B) Sheets, Black—plain or corrugated or panel sheets mixed or unmixed thicknesses—fit for use as sheet cuttings	335		360	380

The General and Special conditions of sale remain the same as before. This amendment takes effect from the date of its publication in the Gazette of India and notwithstanding the rate at which an order has been booked or materials paid for shall apply to all deliveries effected on or after that date.

S. C. MUKHERJEE,
 Dy. Iron & Steel Controller.

[No. SC(C)-2(120)/60.]
 J. S. BAIJAL, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 6th March 1961

S.O. 578.—The Government of Mysore having nominated, in exercise of the powers conferred by clause (c) of sub-section (2) of section 3 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), Shri H. S. Lakke Gowda, M.Sc., Public Analyst, Public Health Institute, Bangalore as a member representing that Government on the Central Committee for Food Standards in the vacancy caused by the resignation of Dr. S. T. Rodda, the Central Government, in exercise of the powers conferred by sub-section (1) of the said section 3, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Health No. S.R.O. 1236, dated the 1st June, 1955, namely:—

In the said notification for entry 21, the following entry shall be substituted, namely:—

“21. Shri H. S. Lakke Gowda, M.Sc., Public Analyst, Public Health Institute, Bangalore”.

[No. F. 14-45/60-P.H.]

M. C. JAIN, Under Secy.

New Delhi, the 8th March 1961

S.O. 579.—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.D.D.S. (Doctor of Medicine and Surgery) of the Government University of Genova (Italy) shall be a recognised medical qualification for the purposes of this Act.

[No. F. 17-5/60-M.1.]

ORDER

New Delhi, the 8th March 1961

S.O. 580.—With reference to the notification of the Government of India, Ministry of Health No. F. 17-5/60-M.1, dated the 8th March, 1961, according recognition to the Medical qualification M.D.D.S. (Doctor of Medicine and Surgery) of the Government University of Genova (Italy) for the purposes of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, in exercise of the powers conferred by the proviso to sub-section (1) of section 14, directs that the medical practice by Dr. Calzia Maria Gabriella, possessing the said qualification, shall be limited to the institution of ‘St. Anthony’s Hospital, Avutapalli, Gannavaram Taluq, Krishna District’ for a period of two years with effect from the date of this order or so long as Dr. Calzia Maria Gabriella continues to work in the said institution for purposes of teaching, research or charitable work, whichever is shorter.

[No. F. 17-5/60-M.1.]

R. B. JAIN, Under Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 6th March 1961

S.O. 581.—In exercise of the powers conferred by Clause (a) of Sub-Section (3) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act 44 of 1954, the Central Government hereby appoints Shri S. N. Bahl for the time being holding the post of Assistant Settlement Officer under the Regional Settlement Commissioner, Delhi as Managing Officer for the custody, management and disposal of compensation pool.

[No. 8/162/AR(Per)/CSC/60.]

S.O. 582.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954),

the Central Government hereby appoints Shri R. N. Khanna, as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the date he took over charge of his office.

[No. 8/215/AR(Per)CSC/60.]

S.O. 583.—In exercise of the powers conferred by Clause (a) of Sub-Section (3), of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, 44 of 1954, the Central Government hereby appoints Shri R. N. Khanna, for the time being holding the post of Assistant Settlement Officer under the Settlement Commissioner (Government Built Property), New Delhi as Managing Officer for the Custody, management and disposal of compensation pool.

[No. 8/215/ARG/CSC/60.]

New Delhi, the 13th March 1961

S.O. 584.—In exercise of the powers conferred by Clause (a) of sub-section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, No. 44 of 1954, the Central Government hereby appoints Shri D. L. Bhalla, for the time being holding the post of Settlement Officer, Faridabad, as Managing Officer for the custody, management and disposal of compensation pool.

[No. 6(30)/56/ARG.]

K. B. MATHUR, Under Secy.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 8th March 1961

S.O. 585.—In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Shri Gurbachan Singh Jabbi, Additional Chief Inspector of Mines, to be the Chief Inspector of Mines, for all the territories to which the said Act extends, *vice* Shri Sarwan Singh Grewal.

[No. 8/14/61-MI.]

B. K. BHATTACHARYA, Dy. Secy.

New Delhi, the 8th March 1961

S.O. 586.—In pursuance of clause (a) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby nominates Shri R. S. Mandal, to be the Chairman of the Regional Committee for the State of Bihar, *vice* Shri B. P. Singh, resigned and makes the following further amendment in the notification of the Government of India in the Ministry of Labour No. S.R.O. 1380 dated the 4th July, 1953, namely:—

In the said notification, for entry (1), the following entry shall be substituted, namely:—

"(1) Shri R. S. Mandal, Secretary to the Government of Bihar, Department of Labour & Employment, Patna".

[No. 10(6)/60-PF.II.]

New Delhi, the 9th March 1961

S.O. 587.—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act shall apply to any Provident Fund established for the benefit of the employees of the Calcutta Dock Labour Board established under the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956.

[No. 523(32)/60-Fac.]

P. D. GAIHA, Under Secy.

New Delhi, the 8th March 1961

S.O. 588.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, constituted by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 172 dated the 16th January 1960, in the industrial dispute between the Madras Port Trust and their workmen.

**BEFORE THE CENTRAL GOVERNMENT ADDL. INDUSTRIAL TRIBUNAL,
BOMBAY**

REFERENCE No. CGIT-23 of 1960

Employers in relation to the Madras Port Trust

AND

Their workmen.

Bombay: Dated 22nd February 1961.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the employers: Shri T. K. Parameswaran Nambiar, Secretary, Madras Port Trust.

For the workmen: Shri S. C. C. Anthoni Pillai, M.P., President, Shri S. Krishnan, General Secretary and Shri T. K. Nair, Treasurer, Madras Port Trust Employees' Union.

STATE: Madras.

INDUSTRY: Ports and Docks.

AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 28/56/59/LRIV dated 15th June 1960, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, was pleased to refer to my adjudication the industrial dispute between the parties above named in respect of the matters specified in the following schedule to the said Order:—

SCHEDULE

“(a) Whether the interim relief of Rs. 5/- p.m. should be granted to daily rated labour employed by the Madras Port Trust other than labour covered by the piece rate scheme.

(b) If so, whether it should be given with retrospective effect from 1-7-1957?”

2. After the usual notices were issued on the parties, the President of the Madras Port Trust Employees' Union, (hereinafter referred to as the Union), which is recognised by the Madras Port Trust as representative of its workmen, filed its statement of claim on behalf of the workmen on 14th August 1960 to which the Madras Port Trust filed its written statement in reply on 8th September, 1960, after which the dispute was heard by me at Madras on 6th February, 1961.

3. The history of this dispute dates back to 1957. By its interim report dated 14th December 1957 the Commission of Enquiry on Emoluments and Conditions of Service of Central Government Employees (1957-1959), (hereinafter referred to as the Second Pay Commission), recommended to Government the grant of a further increase in the dearness allowance of all Central Government employees drawing basic pay not exceeding Rs. 250/- per month to take effect from 1st July 1957. In paragraph 14 of their said Interim Report the Commission observed:—

“For reasons explained above, it would necessarily take us several months to reach final conclusions on the issues before us. During the last few months, however, there has been a significant rise in the cost of living which appears likely to persist. This must cause some hardship to the employees in the lower pay groups, which, in our opinion, calls urgently for a measure of alleviation. In taking this view we have been influenced by the fact that even though the Government had decided that they could not continue to follow the Central Pay Commission's dearness allowance formula, recognising the hardship of their lowpaid employees the Government did grant *ad hoc* increases in the dearness allowance in 1949 and 1951. We, therefore, consider that a further

increase of Rs. 5/- per month in the dearness allowance of all Central Government employees drawing basic pay not exceeding Rs. 250/- per month, is called for, and we recommend that such an increase should be granted. This will be of a temporary nature, and will ensure only until we make a further, or a final report."

4. In paragraph 17 of their Interim Report the Commission observed:

"Demands for interim relief have also been made on behalf of those employed on (a) daily wages, or (b) piece-rate system; and (c) the staff of the Survey of India on "departmental leave". We are unable, on the basis of the information so far available to us, to recommend grant of any interim relief to such employees."

5. The interim relief of Rs. 5/- per month recommended by the Pay Commission was granted by Central Government only to its monthly rated employees drawing a basic pay of Rs. 300/- and below, but it was not granted to those (a) on daily wages and (b) on piece-rate system. The interim relief was granted with effect from 1st July, 1957, as recommended by the Commission.

6. It appears that the Madras Port Trust by its Resolution No. 576 dated 21st February 1958 approved, on the lines of the instructions contained in the Ministry of Finance Office Memorandum No. F. 9(18)-Est. (Spl.)/57 dated the 17th December 1957, the grant of a temporary increase in dearness allowance of Rs. 5/- per mensem with effect from 1st July 1957, to its employees drawing a basic pay of Rs. 300/- and below, excepting the shore labour and other staff who are not eligible for the dearness allowance. The reason for making this exception was that in para 5 of the Government Memorandum cited above, it was stated that such of the employees on (a) daily wages or (b) piece-rate system as are not in receipt of dearness allowance will not be eligible for the increase in dearness allowance.

6a. Thereafter, this union made a claim for payment of the interim relief of Rs. 5/- per month to the daily rated workmen of the Madras Port. It appears that in May 1958 this union had submitted a set of demands on the basis of which there was a strike in June of 1958. Subsequently, the union by its letter dated 16th April 1959 addressed to the Chairman of the Madras Port Trust made a large number of demands. By its further letter dated 9th July 1959 the union made a demand for interim relief of Rs. 5/- per month with effect from 1st July 1957 to all daily rated men. By its letter dated 11th July 1959, the union clarified the demand to be for an interim relief of Rs. 5/- to all daily rated workmen including shore labour with effect from 1st July 1957 irrespective of whether they are piece-rated or time rated. (See demand No. 8-VIII in letter dated 9th July 1959 and demand No. 2 contained in letter dated 11th July 1959 addressed to the Regional Labour Commissioner (Central) Madras). Thereupon, conciliation proceedings followed.

7. Before the Regional Labour Commissioner (Central) the union supported this demand on the main ground that since the interim relief was granted to the workmen to compensate them for the rise in the cost of living there was no justification for denying this relief to the daily rated workmen when monthly rated workmen were granted the same. In further support it pointed out that the Cochin Port Administration had granted interim relief benefits to all its workmen, whether daily or monthly rated. The management on the other hand argued that employees who were eligible to receive dearness allowance had been granted interim relief in term of the Finance Ministry's memorandum; that after careful consideration the Port Trust was of the view that there was no justification for the grant of interim relief to the daily rated workers. As there was no settlement, the Regional Labour Commissioner (Central) Madras, made a failure report dated 21st November, 1959, and thereafter, the Central Government was pleased to refer the dispute for adjudication to this Tribunal.

8. The first point that arises for determination is the scope of the terms of reference. The union in its written statement and at the hearing has claimed that the interim relief of Rs. 5/- per month should be awarded also to the daily rated workmen who are covered by the piece-rate scheme. Shri T. K. P. Nambiar, the Secretary of the Madras Port Trust, has, however, urged that the daily rated employees who are covered by the piece-rate scheme are expressly excluded, by the terms of the order of reference. In my opinion, Shri Nambiar's contention is correct. Shri Anthoni Pillai for the union has contended that there is no 100% piece-rated labour in Madras as all the tasks performed are not paid for on piece rate basis. He has further argued that in Bombay and Calcutta even the piece-rated workmen have been granted the interim relief of Rs. 5/- per month as a plus payment, without modification of the piece-rate scheme. What Shri Anthoni Pillai has

argued is that the expression "other than labour covered by the piece-rate scheme", appearing in the schedule to the order of reference, was meant to preclude the revision of the piece-rate scheme as such and did not exclude those employees who are paid under the piece-rate scheme from getting the benefit of the interim relief. But I am not impressed by this contention. It is now well settled that a Tribunal must adjudicate within the terms of reference made to it, and must not travel beyond those terms. The subject matter of this dispute, as specified in the schedule to the order of reference, makes it clear that the call to be adjudicated upon is for interim relief of Rs. 5/- per month for daily rated labour employed by the Madras Port Trust, other than labour covered by the piece-rate scheme. In my opinion this means that those daily rated labour who are also asked to do tasks for which they are remunerated on piece-rate basis under the piece-rate scheme in force in the Madras Port Trust, are excluded from this reference. It is admitted that there are certain establishments or departments of the Port Trust which employ a large number of purely daily rated labour e.g. the Engineering Department and the Section which looks after the maintenance of the railway tracks. These workmen do not perform any piece-rated tasks at all. It was stated at the hearing that about 650 casual workmen from the Engineering Department are to be absorbed as permanent employees in existing vacancies or in posts created recently. Even excluding these, there are over a thousand daily rated labour in the Engineering Department.

9. In the result I uphold the objection of the Port Trust, and hold that daily rated employees who also do piece-rate work are excluded from this reference.

10. The Madras Port Trust is an autonomous body created by the Madras Port Trust Act of 1905. The workmen employed by the Madras Port Trust are divided broadly into two groups (1) those borne on the schedule of staff and (2) those borne on the schedule of artisans and labourers. The employees in both these groups or schedules are monthly rated and they receive the same benefits, except in respect of holidays and leave. The Madras Port Trust also employs daily rated labour known as shore labour, which are divided into three special categories—A, B and C. The Madras Port also owns a large number of barges and mans them with employees known as lightermen, who are of two categories (1) permanent or on schedule of staff and (2) casual lightermen. The permanent lightermen are in the basic pay scale of Rs. 30—1—35. In addition they get Rs. 40/- as dearness allowance, Rs. 5/- as interim dearness allowance, Rs. 7/- as house rent allowance and Rs. 3/- as city compensatory allowance, making a total of Rs. 85/-. They will also be entitled to an additional Rs. 5/- as recommended by the Second Pay Commission, when those recommendations are implemented by the ports. On the other hand, the casual lightermen are daily rated and are paid at the rate of Rs. 2/- per day. When, however, the permanent or casual lighterman is required to do a task which is piece-rated, his earnings per day are processed on a wage of Rs. 3.94.

11. It appears that the "A" category shore labour were granted the interim relief of Rs. 5/- per month with effect from 1st July, 1957, till 1st March 1958, from which date the rates were increased for work done under the piece-rate scheme and also for work not covered by the scheme. It was, therefore, thought that there was no case made out for the grant of the interim relief beyond 1st March 1958 to the 'A' category of shore labour. It is, therefore, the admitted position of parties that this interim relief of Rs. 5/- per month was granted by the Madras Port Trust to (1) all those who were monthly rated and were getting dearness allowance and (2) the "A" category of shore workers to whom the benefit was granted for a limited period from 1st July 1957 to 28th February 1958 (Ex-W-1). It appears that there were special reasons for granting this interim relief to the 'A' category of shore workers because these 'A' category men, were getting Rs. 50/- per month as a retainer. The Port Trust's case is that this payment of Rs. 50/-, included the dearness allowance of Rs. 10/- granted from 1st January 1949 and Rs. 5/- granted from 1st January 1951 being the increase in dearness allowance over and above the dearness allowance fixed by the first Pay Commission in 1947, granted by the Central Government to its employees. The union has strenuously argued that because the "A" category labour were granted interim relief the other daily rated labour were also entitled to payment of this interim relief. It must, however, be remembered that this category was granted the interim relief only for the limited period from 1st July 1957 to 28th February 1958 and that thereafter because of the increase in the time rates and piece-rates from 1st March 1958 the interim relief was not made available to them. In my opinion the payment of the interim relief to the "A" category of shore labour does not justify the demand that the other time rated workers who also do piece-rate work, should also be granted this interim relief.

12. There are historical reasons why the A and B groups of labour in Madras Port between 1944 and 28th February 1958 were being paid a retainer or attendance allowance plus a piece-rate for handling cargo and these have been shown in the statements exhibits E-1 and E-2 filed by the Port Trust. It is admitted that the "A" category is permanent and the B category semi-permanent, and that the latter do not get leave and provident fund benefits on the same lines as the 'A' category workmen. But further discussion on this point is unnecessary because it is clear that the A, B and C groups of daily rated workmen are also covered by the piece-rate scheme and therefore excluded for the purposes of this reference from consideration. It may be mentioned that the piece-rate scheme in the Madras Port as recommended by the Jeejeebhoy Committee (exhibit E-3) is processed on a daily wage of Rs. 3.94 which includes an element of dearness allowance and also contains an interim adjustment allowance of 54 nP., subject to the provision that the amount of any increase in the minimum of the basic wage scales or scales of allowances of a basic worker on the recommendation of the Officer on Special Duty (OSD), Shri Choudhry, shall be set off and adjusted against this allowance.

13. In support of its claim the union has urged that though the Madras Port Trust is an autonomous statutory body under a long standing convention it grants to its employees the pay and allowances and conditions of service applicable to Central Government servants. It appears that subsequent to the first Pay Commission's Report the Madras Port Trust revised the pay and allowances of its workmen with effect from 1st January 1947 on the same basis as was granted to Central Government servants. Under the scales of pay recommended by the first Pay Commission the unskilled mazdoor was entitled to a basic pay scale of Rs. 30—1—35 and a dearness allowance of Rs. 25/- per month, house rent allowance of Rs. 7/- and city compensatory allowance of Rs. 3/- which was also granted by the Madras Port Trust. Shortly after the revision of the pay and allowances for monthly rated workers, the Port Trust in November 1948 revised the wage rates for the daily rated labour and the union's contention is that in fixing the rate for daily rated workmen the main idea was to ensure to them monthly earnings roughly equal to the basic pay and dearness allowance which the monthly paid workmen of the same category would earn. The union has pointed out that in implementation of the 1st Pay Commission's recommendations, the lowest paid monthly rated unskilled workman was given a total emolument of Rs. 55/- per month made up of Rs. 30/- basic pay and Rs. 25/- dearness allowance, and that it was in consideration of this that the daily wages of casual worker were fixed at Rs. 2/- per day so as to enable him to earn Rs. 52/- per month, which approximated to the Rs. 55/- per month which a permanent monthly rated class IV worker would get. The union has argued that since then the disparity in the total monthly wages of a permanent and temporary, or casual workman had increased considerably because the monthly rated workman got an increase of Rs. 10/- in his dearness allowance in January 1949 and a further increase of Rs. 5/- in dearness allowance from January 1951. These together with the interim relief of Rs. 5/- granted from 1st July 1957 have brought up the total emoluments of the lowest monthly paid employee to Rs. 75/- as against the maximum earnings of Rs. 52/-, which a daily rated class IV employee would get. Shri Anthoni Pillai has further pointed out that the average cost of living index number for Madras City in 1947 was 270, which in 1957 rose to 373, and in 1960 to 463. He has filed a statement of the average Madras working class cost of living index number as compiled by the Madras Government which substantiates the figures given by him.

14. There is not the least doubt from what is stated above that whilst the monthly rated workmen have moved up the ladder in their total earnings because of the increased dearness allowance which they have received due to the rise in the cost of living, the daily rated workmen has not had this benefit though he has unquestionably been equally affected by the rises in the cost of living. Moreover, the Second Pay Commission recommended the grant of interim relief of Rs. 5/- per month because of the rise in the cost of living which had taken place since the Government had granted the last *ad hoc* increase in the dearness allowance of the Central Government employees.

15. Shri Nambiar for the Madras Port Trust had argued that the Second Pay Commission had not deemed it necessary to recommend the payment of interim relief to daily rated and piece-rated workmen. It must, however, be remembered, as stated by the Pay Commission in its interim report, that it was unable to do so on the basis of the information till then available to it. It is clear that it did not include the daily rated workmen because it did not know what were the earnings of the daily rated and piece-rated workmen. On this point it is significant to note that the interim relief of Rs. 5/- per month under reference has been granted to

its daily rated workmen by the Bombay and Calcutta Port authorities, which are both autonomous bodies like the Madras Port Trust. Shri Nambiar has strenuously argued that the Central Government had not itself granted the benefit of this interim relief to its daily rated employees. That no doubt is true. But it is admitted that the benefit of this interim relief has been granted to the daily rated employees of the Cochin and Vizagapatam ports which are Government administered. Thus, when it came to a question of granting this interim relief to daily rated employees in ports which are under the direct administration of the Central Government, the Government has granted the benefit of this interim relief to its like categories of employees. Shri Nambiar has next argued that compared to what the Central Government was paying to its daily rated employees in the Integral Coach Factory at Perambur, Madras, and its other daily rated employees in Madras City, the daily wage of Rs. 2/- paid by the Madras Port Trust was adequate and no increase was called for. But I do not think that this basis of comparison is correct. In my opinion the proper basis for comparison would be seen whether employees of like categories in ports which are administered by the Central Government have got the benefit of this interim relief. As I have already pointed out earlier, Government have granted the benefit of this interim relief to its daily rated workmen in Cochin and Vizagapatam ports, with effect from 1st July, 1957.

16. Shri Nambiar has next contended that being an autonomous body, the Madras Port Trust must act in the general interest of the port and considering that its wages were generally better than what other Government concerns were paying in Madras e.g. the Integral Coach Factory and the Railways, whose daily rated employees had not been granted this interim relief, the Port Trust was justified in refusing this demand. The union on the other hand had relied upon a letter from the Ministry of Transport and Communications dated 3rd March 1958 addressed to the Secretary of the Bombay Port Trust, with copy to the Madras Port Trust, in which it had stated that Government would have no objection to the Port Trust extending the benefit of this interim relief to their employees who are daily rated or piece-rated, provided that the payment was limited to a flat rate of Rs. 5/- per month to each employee whose total emoluments in a month did not exceed Rs. 250/-. The letter further stated that that was an *ad hoc* interim relief which should not be added to the basic wages for purposes of calculating total earnings, and that the Bombay Port Trust may give effect to the order of interim relief on the above basis with effect from 1st July 1957. It appears that the Madras Port Trust by its letter dated 10th January 1958 (Exhibit E-4) had enquired of the Ministry of Transport and Communications of the Government of India whether the interim relief of Rs. 5/- per month was to be reckoned for dearness pay also. It is admitted by Shri Nambiar that the letter dated 3rd March 1958 from the Ministry of Transport, contains an answer to this enquiry inasmuch as it had laid down that the interim relief payment being an *ad hoc* payment should not be added to the basic wages for purposes of calculating total earnings. I am of the opinion that this conclusion of the Government could well have been implemented by the Madras Port Trust in regard to its daily rated workers who were not covered by the piece-rate scheme, as has been done by the Bombay and Calcutta Port Trust.

17. It has next been urged on behalf of the Port Trust that it has several projects in hand where the number of daily rated workmen is about 3,000 and that if this interim relief were to be granted the burden on it would be a heavy one, but Shri Nambiar has not denied the Madras Port Trust's financial capacity to meet this demand.

18. Shri Nambiar has next contended that as the daily rated workers are covered by the Minimum Wages Act, and as the wages paid to them is an all inclusive rate, there would be an additional payment, or to use his own words a plus payment, if the interim relief of Rs. 5/- is granted to them, which would be against the spirit, if not the provisions of the Minimum Wages Act. But I do not think there is any substance in this contention, because the Minimum Wages Act also applied to the monthly rated workmen, who have already had the benefit of this interim relief.

19. Before concluding this discussion I may state that after the hearing was over Shri Nambiar has drawn my attention to a report appearing in the "Hindu", Madras dated 7th February 1961 regarding the Central Government's acceptance of the Pay Commission's recommendations with regard to the emoluments of casual labour. But no notice can be taken of a report appearing in a newspaper. Besides, it is not clear from that report whether the casual labour referred to is of the same type as the daily rated workmen under reference.

20. The union at the hearing has also filed extracts from the standing orders for the Port of Madras and compared the same with the Bombay Port Trust Rules.

and Regulations for non-scheduled staff, with regard to the definition of permanent workman, temporary workman, casual workman etc. (exhibits W-1 and W-2). From these, it is argued that the Madras Port Trust standing orders are less favourable to the daily rated workmen than those of the Bombay Port Trust. It has also been pointed out that most other ports do not employ such a large number of daily rated workmen, as are employed by the Madras Port Trust, and that the Bombay Port Trust pays its permanent and temporary workmen the same wages. There is no doubt that there is not such a sharp difference in the wages of temporary or casual labour and of permanent workmen in the Bombay Port Trust as there is in the Madras Port Trust, which incidentally undertakes to do engineering work for outside parties.

21. After a careful consideration of the submissions of the parties and the facts and circumstances of the case, I answer the first question under reference in the affirmative and hold that the interim relief of Rs. 5/- per month should be granted to the daily rated labour employed by the Madras Port Trust other than labour covered by the piece-rate scheme.

22. The next question is how this rate of Rs. 5/- per month should be worked out in respect of the daily wage. The union has claimed that the daily rate should be 1/26th of Rs. 5/- and that it would work out to a little more than 19 nP per day, which, it is urged should be rounded off to 20 nP per day per workman. Shri Nambiar for the Madras Port Trust has argued that if this was granted it would work out to a higher rate than the rate represented by payment of Rs. 5/- per month to the monthly rated workmen. He has, therefore, urged that the rate should be 1/30th of Rs. 5/- per day. I think this contention of Shri Nambiar is correct, because if the rate were to be 1/26th of Rs. 5/- per day, the daily rated workmen would get a higher rate of interim relief than what has been granted to the monthly rated workmen. I, therefore, accept Shri Nambiar's contention and direct that the interim relief shall be calculated at the rate of 1/30th of Rs. 5/- per day i.e. 17 naye paise per day in a month of 30 days, 18 nP per day in a month of 31 days; and in a month of 28 and 29 days 18 nP and 17 nP respectively. For the purposes of calculation, fraction of a half and more than half of a naye paisa shall be reckoned as a whole naya paisa and fraction of a naya paisa under half shall be ignored.

23. This brings me to clause (b) of the schedule to the order of reference namely whether the interim relief should be given with retrospective effect from 1st July, 1957. The union in support of this claim has pointed out that the monthly rated workmen of the Madras Port got the benefit from 1st July 1957 and that the daily rated workmen in Calcutta, Bombay, Cochin and Vizagapatam ports also got it from the same date; that the Ministry of Transport and Communications by its letter dated 3rd March 1958 (confidential Exhibit No. W. 1) had stated that it had no objection to this interim relief being granted with effect from 1st July 1957. Shri Nambiar, however, has argued that such a long retrospective effect was not justified and would place a heavy burden on the Madras Port Trust. He also urged that the Port Trust would not be able to recover from outside parties any higher rates for the work done during this period, but he fairly conceded that the work done for outside parties was small. He also pointed out that the accounts for this post period have already been closed and urged that if the interim relief was at all to be granted it should be from a prospective date i.e. from 1st July 1961, and that in no case should it be granted with retrospective effect from 1st July 1957. I am not however, impressed by the submissions of Shri Nambiar. The monthly rated workers were given retrospective effect from 1st July 1957 though the decision to give this retrospective effect was taken in about May or June 1958. The daily rated workmen have been pressing this demand ever since the recommendation made by the Pay Commission for grant of this interim relief. The Pay Commission recommended the grant of interim relief from 1st July 1957 to compensate the workmen for the steep rise in the cost of living that had taken place by that date. In my opinion, the daily rated workmen have a greater claim for interim relief as compared to the monthly rated workmen whose emoluments have generally been higher and who got the benefit of the increases in dearness allowance granted in 1949 and 1951 which had been denied to the daily rated workmen. It is also not denied that the majority of the daily rated workmen of the Madras Port Trust are on the lowest daily wage of Rs. 2/- per day and that those on a higher daily rate are comparatively small in number.

24. Taking all these facts and circumstances into account, I am satisfied that the interim relief should be granted with retrospective effect from 1st July 1957 as has been granted by most of the other ports, and I award accordingly. I further

direct that the payment due to the workmen should be worked out as stated above and paid within two months of the date this award becomes enforceable.

No order as to costs.

Sd/- SALIM M. MERCHANT,
Presiding Officer,
Central Government addl. Industrial Tribunal,
Bombay.

[No. 28-56/59.LRIV.]

New Delhi, the 10th March 1961

S.O. 589.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the National Industrial Tribunal (Bank Disputes), Bombay, in the matter of an application under section 33A of the said Act from Shri R. H. Butani, ex-employee of the State Bank of India, Bombay.

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL (BANK DISPUTES) AT BOMBAY

COMPLAINT NO. 57 OF 1960

IN

REFERENCE NO. 1 OF 1960

Shri R. H. Butani, Block No. 91/1, Agra Road, Mulund Colony, Bombay-82—*Complainant*.

Versus

The State Bank of India, Bombay—*Respondent*.

In the matter of a complaint under section 33A of the Industrial Disputes Act, 1947, dated 23rd December 1960.

PRESENT:

The Honourable Shri Justice Kantilal T. Desai, Presiding Officer, National Industrial Tribunal (Bank Disputes) at Bombay.

APPEARANCES:

The Complainant in person.

Shri H. C. Sarkar, Staff Officer, State Bank of India—for the Respondent.

INDUSTRY: Banking

Bombay, the 24th February 1961

AWARD

1. The complainant has filed this complaint under section 33A of the Industrial Disputes Act, 1947. Long prior to the filing of this complaint, the respondent—bank had filed under section 33(2)(b) of the Industrial Disputes Act, 1947, an application, dated 18th August 1960, being Application No. 17 of 1960, for approval of the action taken by the bank in discharging Butani from service. The said application was argued at considerable length and was decided by me on 17th December 1960 and I gave my approval to the action of the Bank in discharging Butani from service.

2. This complaint has been filed after the decision of this National Tribunal in the said application.

3. The usual Notice was issued in connection with this complaint also. The respondent has submitted a reply-statement by which the allegation that there had been a contravention of the provisions of section 33 of the Industrial Disputes Act, 1947, has been denied.

4. The case came up for hearing before me on 24th February 1961 when Butani appeared in support of his complaint.

5. The facts relating to this complaint are set out in my Order, dated 17th December 1960 which is hereto annexed and marked Ex. 'A'. For the reasons given therein I accorded my approval to the action taken by the bank in discharging the complainant. In my view the order of reversion of the complainant

referred to in this complaint was not illegal. None of the subsequent orders referred to in this complaint are bad in law. There has been no contravention of the provisions of section 33 of the Industrial Disputes Act, 1947. In the result, the complaint fails and is dismissed. There will be no order as to costs.

KANTILAL T. DESAI,
Presiding Officer,
National Industrial Tribunal
(Bank Disputes), Bombay-1.

EXHIBIT 'A'

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL (BANK DISPUTES) AT BOMBAY

APPLICATION No. 17 OF 1960

IN

REFERENCE No. 1 OF 1960

The State Bank of India, Bombay—Applicant.

Versus

Shri R. H. Butani, C/o The State Bank of India, Bombay—Opponent.

In the matter of an application under Section 33(2) of the Industrial Disputes Act, 1947, dated 18th August 1960.

PRESENT:

The Honourable Shri Justice Kantilal T. Desai, Presiding Officer, National Industrial Tribunal (Bank Disputes) at Bombay.

APPEARANCES:

Shri H. C. Sarkar—for the Applicant-Bank.

The Opponent in person.

INDUSTRY: Banking

Bombay, dated the 17th December 1960

ORDER

1. The State Bank of India has made this application under the provisions of sub-section (2) of Section 33 of the Industrial Disputes Act, 1947, for approval of the action taken by the Bank in discharging from service R. H. Butani, the opponent herein.

2. Prior to July 1958 the opponent was employed as a clerk in the applicant Bank at Bombay. On 3rd July 1958 the officiating Deputy Secretary and Treasurer of the Bank addressed a letter to Butani stating that on the recommendation of the Local Board, the Executive Committee of the Central Board at its meeting held on the 2nd July 1958 had appointed Butani as a sub-accountant on six months' probation with effect from 1st July 1958. 54 employees of the Bank felt aggrieved by the aforesaid appointment of Butani and filed appeals before the Managing Director complaining against the aforesaid action purporting to do so under paragraph 529 of the Sastry Award. On 4th February 1959 a meeting of the Local Board of the Bank was held to consider the memorandum, dated 30th January 1959 whereunder it was reported that Butani was due for confirmation with effect from 1st January 1959. It was resolved by the Local Board as follows:—"Although Shri Butani has earned a satisfactory report on his work, in terms of the proviso (ii) to rule 9 of the State Bank of India (Sub-Accountants and Head Cashiers) Service Rules, the Period of probation of Shri Butani be extended until Central Office have considered the appeals of the aggrieved employees concerned and their decision is known, or for a period of six months, with effect from the 1st January 1959, whichever is earlier". In the month of April 1959 Butani's services were lent to the State Bank of Hyderabad. On 2nd June 1959 the Managing Director of the Bank considered the aforesaid appeals and came to the conclusion that Butani should not be confirmed in his appointment as sub-accountant and that during his deputation to the State Bank of Hyderabad his lien in the Bank should only be in respect of a clerical appointment. A recommendation to that effect was placed before the Executive Committee through

the usual channels. This recommendation was approved by the Local Board and the matter was submitted to the Executive Committee of the Central Board for sanction. The Executive Committee of the Central Board at its meeting on 17th June 1959 approved the aforesaid recommendation. On 23rd June 1959 the Secretary and Treasurer of the Bank addressed a letter to Butani stating that in view of the findings and the recommendations of the Managing Director in connection with the aforesaid appeals the Executive Committee had resolved that Butani be not confirmed in the Sub-Accountant's Grade and that he be allowed to continue to serve on deputation in the State Bank of Hyderabad for the present on his existing salary and allowances and that his status in the State Bank of India would be treated to be that which he held prior to his appointment as a Sub-Accountant on probation, and that the decision was effective as from the 17th June 1959. On 8th August 1959 the Officiating Deputy Secretary and Treasurer intimated to Butani, in answer to a letter written by Butani, that his status in the State Bank of India would be treated to be that which he held prior to his appointment as Sub-Accountant on probation. He was further informed that his conditions of service would be governed by the Sastry Award. On 29th August 1959 the State Bank of Hyderabad requested the Chairman of the State Bank of India to recall Butani from Hyderabad stating that Butani had refused to accept an office-order posting Butani to assist the Superintendent of the Clearing House. It was stated in that letter that Butani was reluctant to serve the Hyderabad Bank in any capacity other than that of a Staff Assistant and that administratively it was difficult to assign to him the duties of a Staff Assistant in the Hyderabad Bank. On or about 15th September 1959 Butani was relieved of his deputation with the Hyderabad Bank and was recalled and was asked to report to the Chief Accountant, State Bank of India, Bombay. Butani came to Bombay on 21st September 1959 and went on 13 days' privilege leave. He kept on extending his leave till 14th April 1960.

3. On 14th April 1960 Butani reported for duty to the Chief Accountant who instructed Butani by a memorandum in writing to report to the Head Assistant, Accountant's Department for duty in the capacity about which he had already been advised in the aforesaid letter of 23rd June 1959. Butani thereupon endorsed on the copy of the memorandum that since he had completed the probation period of Sub-Accountant from 1st July 1958 to 31st December 1958, it was not possible for him to work as a clerk. He refused to work as a clerk. On 19th April 1960 the Officiating Chief Accountant addressed a letter to Butani stating that by making the aforesaid remarks he had disobeyed the lawful orders of the management which amounted to gross misconduct on his part and he was warned that if he did not resume the duties allotted to him by 10 a.m. Wednesday, the 20th April 1960, the question of taking suitable action against him would be considered. Butani refused to accept that letter. On 20th April 1960 the Officiating Chief Accountant of the State Bank of India addressed another letter to Butani by which he was informed that the Management took strong exception to his unauthorised entry into the Chief Accountant's cabin on the 18th and 19th April 1960 and refusing to move out of the room when instructed to do so. It was stated in that letter that the aforesaid act was not only an act of indiscipline on his part but it had also caused considerable inconvenience to the Chief Accountant. He was warned to refrain from the repetition of such acts, failing which the Bank would be compelled to take suitable action against him. On 22nd April, 1960 the Officiating Chief Accountant asked Butani immediately to report to the Head Assistant for duty as a clerk in the Overdraft Section in the Accountant's Department.

4. Butani was charge-sheeted for having committed acts of gross misconduct. He was required to submit his explanation in connection therewith and he was informed that the enquiry in connection with the charges would be held by Shri A. H. Elias, Superintendent, Branch Department of the State Bank of India on 7th May 1960. As regards the procedure for inquiry his attention was directed to paragraph 521(10) of the Sastry Award. Butani did not remain present at the inquiry. He was not represented by any one before the Enquiry Officer. The Enquiry Officer after taking the evidence into consideration held that the charges were proved against Butani and recommended the dismissal of Butani.

5. On 11th July 1960 the Secretary and Treasurer of the State Bank of India addressed a letter to Butani intimating to Butani that he had come to the tentative conclusion that Butani should be discharged from service with one month's pay, but before taking the final decision he called upon Butani to show cause why the proposed punishment should not be imposed on him. A copy of the disciplinary proceedings and of the findings of the Enquiry Officer were sent to Butani. Ultimately the Secretary and Treasurer of the Bank passed orders to

the effect that Butani should be discharged from service of the Bank after filing the necessary application for approval of the action taken by the Bank. Butani was offered his pay for one month in lieu of notice, but he refused to accept the amount so offered. The State Bank of India by the present application has prayed for approval of the action taken by the Bank viz., discharge of Butani from service of the Applicant Bank.

6. Butani has put in a reply raising numerous contentions. His principal contention is as regards his status in the Bank. He says that he was a Sub-Accountant in the Bank and not a clerk. At the hearing before me, he stated that as a Sub-Accountant he supervised over the work of other employees and that he was drawing a salary of Rs. 506. If the contention of Butani is accepted, he would not be a workman within the meaning of the definition of "workman" given in Section 2(a) of the Industrial Disputes Act, 1947, as he would then be liable to be regarded as being employed in a supervisory capacity drawing wages exceeding Rs. 500 per mensem within the meaning of sub-clause (iv) of section 2(a) of the Act, and it would not be necessary for the Bank to come before me for approval of the action taken.

7. Butani has further contended that the Bank has not followed the proper procedure applicable to Sub-Accountants under the service rules framed by the State Bank of India relating to Sub-Accountants in discharging him from service.

8. In my view, the submissions of Butani are not well-founded. Butani was never confirmed as a Sub-Accountant. Butani contended that on the expiry of the probationary period of six months as a Sub-Accountant, he automatically became a Sub-Accountant. The Bank denied the aforesaid contention and stated that it was necessary before a person could be said to occupy the substantive post of a Sub-Accountant that he should be confirmed in that post. The Bank has produced a letter dated 26th November 1957 written by the Managing Director to the Secretary and Treasurer, State Bank of India, Calcutta, a copy whereof has also been forwarded to the Secretary and Treasurer of the State Bank of India, Bombay, in which it has been clearly stated that all appointments to the Sub-Accountants' grade should thereafter be subject to confirmation after six months' service. It has further been stated in that letter that in cases where the employees had already worked satisfactorily as Relief Sub-Accountants for an aggregate period exceeding six months, the Secretary and Treasurer had discretion to recommend that the probationary period of six months may be dispensed with in such cases. The letter relied upon by the Bank clearly shows the necessity of confirmation before a person can be said to occupy the substantive post of a Sub-Accountant. In the case before me, after the expiry of the probationary period of six months Butani was not confirmed as a Sub-Accountant. On 4th February 1959 his period of probation was extended. By the subsequent order of the Executive Committee he was not confirmed as a Sub-Accountant.

9. Butani relied upon the service rules of the State Bank of India applicable to Sub-Accountants which came into force on 1st January 1959. Under the aforesaid rules, the expression "Sub-Accountant" includes a Sub-Accountant on probation. Rule 9 provides that the period of probation in the case of a Sub-Accountant would be six months. Under the proviso to that rule, the Executive Committee or the Local Board had the discretion to dispense with or curtail the period of probation or extend the period of probation in any individual case, but in no case the same should exceed one year. Rule 10(1) provides that a Sub-Accountant on probation, promoted from the Bank's staff, who failed to show satisfactory promise during the period of probation, would be liable to be reverted to his previous substantive grade without notice or pay in lieu thereof. Relying on these rules Butani has submitted that as he did not fail to show satisfactory promise during the period of his probation of six months from 1st July 1958 he was not liable to be reverted. Butani's period of probation of six months had expired when the rules came into force. Rule 10(1) applies to a case where action is to be taken in the case of failure on the part of the person concerned to show satisfactory promise during the period of probation. Rule 8 provides as follows:—

"The service of an employee as a Sub-Accountant or Head Cashier on probation shall commence from the date he takes up his duties as such and service as a Sub-Accountant or Head Cashier from the date of his confirmation in that grade. Provided that in the case of an employee who is already in the service of the Bank when these rules come into force, service as Sub-Accountant or Head Cashier on probation shall be deemed to have commenced from the date on which he took up his duties as such". This rule expressly lays down that service as a Sub-Accountant would commence from the date of his

confirmation in that grade. Butani has never been confirmed in the grade of a Sub-Accountant. Butani's initial probationary period of six months expired when the rules came into force. The initial period of probation was liable to be extended and has been validly extended. As Butani had not been confirmed in the post of a Sub-Accountant and as he has been reverted to his original substantive post, he cannot be regarded as a Sub-Accountant. At the time when action was taken against him, he was only a clerk in the State Bank of India.

10. Butani next contended that under the provisions of paragraph 495 of the Sastry Award, on the expiry of the period of probation of six months he automatically became confirmed in the post of a Sub-Accountant. The post of a Sub-Accountant claimed by Butani is one where he would be employed in a supervisory capacity and would entitle him to draw wages exceeding Rs. 500 per mensem. In that event he would not be a workman within the meaning of the Industrial Disputes Act, 1947 and the provisions of the Sastry Award would not be applicable to him and cannot be relied upon by him. In the decision of the Labour Appellate Tribunal in paragraph 143 it has been laid down, in order to avoid misapprehension, that the Sastry Award as modified by the decision of the Labour Appellate Tribunal would not govern the Head Cashiers and Sub-Accountants in the Imperial Bank of India. This contention of Butani must also fail.

11. Butani next contends that even though he was not liable to be regarded as a Sub-Accountant, still disciplinary action could only be taken against him under the State Bank of India (Sub-Accountants and Head Cashiers) Service Rules. He relies upon rule 2(2) of the said rules which lays down that the said rules would also apply to persons in the service of the Bank in any other capacity to such extent and subject to such conditions as the Bank may from time to time decide. Butani has not been able to point out any decision of the Bank which would make the rules applicable to him in his capacity as a clerk. His contention in this connection must fail. In my view, the proper procedure applicable to Butani has been followed in connection with the disciplinary proceedings taken against him.

12. Butani next contends that the Bank is seeking to punish him twice for the same misconduct. In this connection, he relies upon the two letters written by the Bank—one written on 19th April 1960 and the other written on 20th April 1960. He says that under these two letters warnings have been given to him, that the warnings themselves amount to punishment and that he was not liable to be proceeded against in connection with matters set out in these letters. There is no substance in this contention. The warning given to him in the letter dated 19th April 1960 was to the effect that if Butani did not resume the duties allotted to him by 10 a.m. on Wednesday, the 20th April 1960, the question of taking a suitable action against him would be considered. This cannot in any sense be regarded as a punishment. Butani in fact never resumed such duties. By the letter dated 20th April 1960 Butani was warned to refrain from repetition of the acts of indiscipline therein mentioned, failing which, it was stated that the Bank would be compelled to take suitable action against him. By this letter there is no punishment inflicted upon Butani and his contention in respect of this letter also must fail.

13. Butani has further contended that the Bank has waived the misconduct set out in the aforesaid two letters and was not entitled to take disciplinary action against him in respect of the matters set out in those letters. In my view, there is no such waiver. Even after the letter of 20th April 1960, Butani persisted in his attitude and declined to work as a clerk and the Bank was entitled to take disciplinary action against Butani in respect of the matters set out in those letters.

14. There is sufficient evidence on the record to establish the charges levelled against Butani. A prima-facie case has been made out against Butani. The Bank has made out a sufficient case for obtaining my approval of the action taken by the Bank viz., discharging Butani from service and I accord my approval to such action.

Sd/- (KANTILAL T. DESAI),
Presiding Officer,
National Industrial Tribunal,
(Bank Disputes), Bombay-1.

[No. 10(125)/60-LRII.]
G. JAGANNATHAN, Under Secy.

